



"To enrich lives through effective and caring service"



Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

October 4, 2007

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director *SW*

SUBJECT: **SMALL CRAFT HARBOR COMMISSION AGENDA FOR
OCTOBER 11, 2007 SPECIAL MEETING**

Enclosed is the Agenda for the October 11, 2007 Special Meeting. Also enclosed are reports related to Agenda Items 3a, 3b, 4a, 4b, 4c, 5a, and 6a.

Please feel free to call me at (310) 305-9522 if you have any questions or need additional information.

SW:ms

Enclosures



To enrich lives through effective and caring service



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**SMALL CRAFT HARBOR COMMISSION
SPECIAL AGENDA
October 11, 2007
6:00 p.m.**

**BURTON W. CHACE PARK COMMUNITY ROOM
13650 MINDANAO WAY
MARINA DEL REY, CA. 90292**

1. Call to Order and Pledge of Allegiance
2. Draft of Minutes: August 8, 2007
3. **REGULAR REPORTS**
 - a. Marina Sheriff (DISCUSS REPORTS)
 - Crime Statistics
 - Enforcement of Seaworthy & Liveaboard Sections of the Harbor Ordinance
 - b. Marina del Rey and Beach Special Events (PRESENTATION BY DUSTY CRANE, CHIEF OF COMMUNITY AND MARKETING SERVICES DIVISION)
 - c. Marina del Rey Convention and Visitors Bureau (PRESENTATION BY BEVERLY MOORE, EXECUTIVE DIRECTOR OF MdR CVB)
4. **OLD BUSINESS**
 - a. County Review of Boat Slip Rental Rates (DISCUSS REPORT)
 - b. Proposed Letter to Board of Supervisors to Express Commissioner Concern Regarding Boat Slip Rental Rate Increases (DISCUSS LETTER)
 - c. Commissioner Landini's Request to Study Potential County Takeover of Private Docks (DISCUSS REPORT)

5. **NEW BUSINESS**

- a. Vice-Chairman Lesser's Response to Slip Rate Concerns and Commissioner Landini's Suggestion that the County Take Over Operation and Maintenance of Private Docks (DISCUSS LETTER)

6. **STAFF REPORTS**

- a. Ongoing Activities (DISCUSS REPORT)
- Traffic Mitigation Measures within Marina del Rey-Quarterly Report from Barry Kurtz, Transportation Engineer Consultant
 - Board Actions on Items Relating to Marina del Rey
 - Local Coastal Program Periodic Review – Update
 - Regional Planning Commission's Calendar
 - Design Control Board Minutes

7. **COMMUNICATION FROM THE PUBLIC**

8. **ADJOURNMENT**

PLEASE NOTE:

1. The Los Angeles County Board of Supervisors adopted Chapter 2.160 of the Los Angeles Code (Ord. 93-0031 § 2 (part), 1993), relating to lobbyists. Any person who seeks support or endorsement from the Small Craft Harbor Commission on any official action must certify that he/she is familiar with the requirements of this ordinance. A copy of the ordinance can be provided prior to the meeting and certification is to be made before or at the meeting.
2. The agenda will be posted on the Internet and displayed at the following locations at least 72 hours preceding the meeting date:

Department of Beaches and Harbors' Website Address: <http://marinadelrey.lacounty.gov>

Department of Beaches and Harbors
Administration Building
13837 Fiji Way
Marina del Rey, CA 90292

MdR Visitors & Information Center
4701 Admiralty Way
Marina del Rey, CA 90292

Burton Chace Park Community Room
13650 Mindanao Way
Marina del Rey, CA 90292

Lloyd Taber-Marina del Rey Library
4533 Admiralty Way
Marina del Rey, CA 90292

Si necesita asistencia para interpretar esta informacion llame al (310) 305-9547.

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DRAFT

**SMALL CRAFT HARBOR COMMISSION
MINUTES
AUGUST 8, 2007**

Commissioners

Harley Searcy, Chairman; Russ Lesser, Vice-Chairman; Albert Landini, Ed.D; Vanessa Delgado, MPA, Christopher Chuang-Lin, PhD

Department of Beaches and Harbors

Stan Wisniewski, Director

Also Present

Thomas Faughnan, Principal Deputy County Counsel; Beverly Moore, MdR Convention and Visitors Bureau; Dusty Crane, Community and Marketing Division; Lt. Roderick Kusch, Sergeant Michael Carriles and Deputy John Rochford of the Sheriff's Department

1. CALL TO ORDER, ACTION ON ABSENCES AND PLEDGE OF ALLEGIANCE

Chairman Searcy called the meeting to order at 9:37 a.m. The Commissioners, staff and members of the public stood and recited the Pledge of Allegiance.

Chairman Searcy moved and Vice-Chairman Lesser seconded a motion to excuse Commissioner Delgado from the meeting. The motion passed unanimously. Commissioner Delgado arrived later in the meeting.

2. APPROVAL OF MINUTES

Public Comment –

Ms. Marino referenced Page 10 of the minutes, second paragraph down. She stated that the discussion regarding the LCP review and the delays associated with the review, are not accurate. The entire paragraph is not very intelligible. She further commented that she did not receive the mailing on this and had just obtained this information last night.

Chairman Searcy asked Ms. Marino if she would like to spend some time correcting the minutes, which relates directly to that portion of her testimony. Chairman Searcy told Ms. Marino to provide her corrections to staff and staff would then have the minutes appropriately reflect that correction.

Ms. Marino replied that she would like to do that.

Chairman Searcy moved and Vice-Chairman Lesser seconded the motion to approve the July 11, 2007 minutes with Ms. Marino's correction to be given to staff. The motion passed unanimously.

3. REGULAR REPORTS

a. Marina Sheriff – Crime Statistics

Lt. Kusch stated that crime in the Marina area has remained fairly static over the last month. He commented that the Sheriff's bicycle team has stayed over the entire summer. The bicycle team has been paying attention to public events and increased patrols in subterranean garages.

Lt. Kusch explained the armed robbery at the Waterside Ralph's fresh faire market. Although this was listed as armed robbery, it was a shoplifting that escalated to a robbery when the staff tried to stop the robber. The robber brandished a knife, threw the items down and ran away. This was coded as a robbery even though it was a petty theft. There is another incident under investigation of a person brandishing a firearm at Dock 44.

Lt. Kusch would like to bring to the public's attention, that there is group(s) that are cutting down the palm trees in the Marina. It is his understanding that this is typically done when people oppose the vegetation that is not native to the area. A fifty foot palm tree is there one moment and gone the next. The Sheriff's Department is asking the public's assistance. If you see work crews hacking down a palm tree, please call the Sheriff's Station with the vehicle license plate number. The palm trees are not being cut up into small pieces and hauled away. This takes heavy equipment to saw down a palm tree in its entirety.

Lt Kusch advised the public that third row seats are being stolen out of Tahoe's, Yukon's and similar expensive vehicles. In case of a theft, the seats are marked. He advised the public that if this happens to one of them, to look on E-Bay or similar sites to see if their seat is being resold. The seats cost approximately three thousand dollars at the dealer.

--- Enforcement of Seaworthy & Liveaboard Sections of the Harbor Ordinance

Sgt. Carriles reported there are no significant changes.

Public Comment

Carla Andrus stated she would like to see the year on the reports.

b. Marina del Rey and Beach Special Events

Ms. Crane stated that we are almost through summer and advised the public that Fisherman's Village continues to have its concert series. She further spoke about other beach events and mentioned the new Los Angeles County beach guide and the updated Marina del Rey area restaurant guide. These publications are produced by private sponsorship money in which the Arrowhead Company has been a tremendous sponsor to the Department.

c. **Marina del Rey Convention and Visitors Bureau**

Ms. Moore explained that they are in the process of conducting an audit of the Marina del Rey Convention and Bureau Website to increase traffic to the website. The website has approximately fifty thousand visitors to the site each month.

OLD BUSINESS

a. **County Review of Apartment, Boat Slip and Liveaboard Rental Rates**

Mr. Wisniewski stated during the last Commission hearing, the Commission requested that the slip rent survey be standardized to show all rates by lineal foot. Accordingly, the Department has returned with a revised rent survey by lineal foot for Southern California and Marina del Rey. He further explained the rates in the Marina are consistent and in line with the rates charged at other Southern California marinas.

Chairman Searcy asked what the radius is for the Southern California survey.

Mr. Wisniewski replied sixty miles. The survey covers areas from Ventura to Newport Beach.

Commissioner Landini asked if staff could provide a vacancy report for the Marina.

Mr. Wisniewski said that staff would happily provide the report.

Commissioner Chuang-Lin asked if some of the harbors had rent control.

Mr. Wisniewski replied no. The other marinas are under the same price control procedures.

CHAIRMAN SEARCY OPENED THE FLOOR TO PUBLIC COMMENT

John Nahas asked to speak prior to the public comment period.

Chairman Searcy stated he would accommodate Mr. Nahas' request to change the Agenda.

However for the record, (prior to this meeting) Mr. Nahas sent an e-mail to the Commission with his information, requesting to speak and advising them of what the presentation would be. In the bi-line line of the e-mail, there is subject line and then next to it, request to speak. In Mr. Nahas' subsequent e-mail that was sent to the world and the press, it contained the same e-mail message, except the subject line was greater with Chairman Seracy's name next to it. Chairman Seracy advised Mr. Nahas he did not appreciate it especially when he is trying to work with him.

ITEM #7

Mr. Nahas complained to Chairman Searcy that he requested the Commission to provide financial statements and appraisals. Further, he requested the documents at the last meeting.

Vice-Chairman Lesser replied that he asked Mr. Nahas to submit all the documentation that he said that he had in advance so the Commission could review it.

Mr. Nahas said all his information was from Beaches and Harbors, so why would he submit things that the Department already had.

Chairman Searcy replied that when he makes a presentation, he is to furnish the materials. Chairman Searcy further explained that the Commission would accommodate him and have photocopies made of whatever he brought.

Mr. Wisnewski advised the Commission that on the public document table, there is a summary of Mariners Bay gross receipts from 2000 to 2007.

Mr. Nahas said that it was his mistake. He thought the financial documents covering Mariners Bay and the other marinas would have been produced by the County.

Chairman Searcy replied that he had Mr. Nahas e-mail and that Mr. Nahas asked Chairman Searcy to make copies of the Mariners Bay gross receipt summary from 2000 to 2007. Further, Chairman Searcy told Mr. Nahas to begin his presentation.

Mr. Nahas replied that if the Commission is to make recommendations, how could they make those recommendations when they have limited information. If the Commission does not have the original lease agreement and amendments or the amount that Mariners Bay and other marinas are getting in the way of actual gross receipts, how can the Commission really justify the slip rent increases.

Chairman Searcy explained to Mr. Nahas the process of the meetings and recommended that he start with his presentation since this was part of his presentation time.

Mr. Nahas explained that the data in the survey was flawed since it does not include amenities and attributes. The data was not comparable.

Mr. Nahas started his presentation speaking about slip fee increases. He stated Mariner's Bay had fifty percent slip rental rate increases this year and a three point five percent increase every year since 2002. This was unprecedented in Marina del Rey. Mr. Nahas (they) met with Steve Napolitano in which Mr. Napolitano said he was not aware of any increases in his West Los Angeles region. Further, Mr. Nahas stated there have been consistent raises over the last several years at several marinas including Mariners Bay.

Mr. Nahas went to the Department of Beaches and Harbors and found fourteen amendments to the lease. He noted the terminology changed from "fair return on your investment" to "fair market". Mariners Bay Company, last year alone had nine point eight million dollars of gross receipts and one point two million of that went to the County. Mr. Nahas cited how Orange County gave their lessees thirty years leases and they then said goodbye to the lessees when the lease expired. Orange County now has the property and uses a management company.

He explained how fair market value is an oxymoron. If there is no supply then there is no market. With no supply, the marinas have created a leapfrog effect with slip rates. This becomes a very slippery slope between the have's against the have not's. If he cannot afford his boat slip anymore then he cannot afford his boat. Mr. Nahas went over the Mariners Bay gross receipts summary with the public using the projector.

Mr. Nahas (they) discovered Michigan State University as a source for research. The University referred him to Professor Ed Mahoney who came to their assistance. Professor Mahoney gave him

data on public recreation boating and economics. This data showed that fair market value and waterfront property is going to be the highest in the land.

Mr. Nahas then produced a movie that contained boater's comments regarding slip increases. These boaters could not attend the meeting. The movie ran approximately five minutes. (parts of the movie inaudible for transcribing)

Mr. Nahas spoke how the Department of Beaches and Harbors is two months behind in their vacancy reports. He spoke of long ADA compliant gangways at Basin A that could be changed and spoke of the use of hydraulics instead. In addition, four hundred slips from Deauville have been taken off the market for seven years and yet we have more citizens coming in to the Los Angeles area who want boat slips.

Mr. Nahas then spoke about the manipulation at Mariners Bay by increases in the thirds. He felt that didn't make sense and Mariners Bay could have easily raised all the slips at once. Further, he spoke of live-aboard status for all and doctored maintenance reports,

Mr. Nahas spoke about how the Department of Beaches and Harbors Mission Statement does not mention anything about boating. He said it's hard to be put in the position of landlord where you are getting all these increases and the other side where the Department is saying the harbor is all about recreational boating and we will protect the boaters. Further, the Department has allowed the Lessees to have too much power by allowing live-aboard limitations, raising rents and no enforcement of compliance.

Mr. Nahas concluded by commenting that the County should let the leases expire and take the land back from the Lessees. The Marina should remain recreational boating.

Mr. Jim Oates read a letter from Professor Mahoney regarding issues such as public marinas, recreation and fair market value. In the letter, Professor Mahoney explained there is no way to calculate fair market price when it comes to marina slip pricing.

Mr. Oates stated he has a boat at Villa del Mar what he considers is a nice marina, however the condition and rates and some of the other docks are horrendous.

CHAIRMAN SEARCY OPENED THE FLOOR TO PUBLIC COMMENT

Dorothy Franklin, a slip renter at Bar Harbor had her rent go up from December 2002 to January 2004. The overall increase was \$293 a month. She spoke about Basin B and C being out of commission for almost seven years. She said the County forsakes its management responsibilities, which in turn curtails the public's right to the use and enjoyment of our coastal resources. Further, she spoke of the lack of public outreach on the County's part.

Buzz Cook, is a slip renter at Mariners Bay who is very much stressed at the rent increases at his facility and that the facilities have not been brought up to standard, citing the bathrooms were shameful.

Nancy Vernon Marino thanked Mr. Nahas for a wonderful presentation and a good investigation. She did not get the mailing and was very upset to find out last that Item #4a was listed as a County review of apartment boat slip and liveaboard rental rates. She stated they do not want a review but an investigation and they want the county to do it. Further, she wants this Commission to do an investigation. Ms. Marino stated to the Commission that Mr. Nahas has brought them a tremendous amount of evidence.

Nancy Marino said the Marina del Rey slip rent survey was not defined. These numbers are not defined. There are two numbers for each one and Mr. Wisniewski thinks that is the range. She said five of the twenty marinas in the survey do not have small slips. That is twenty five percent and that is pretty shameful. She stated Neptune, Marina del Rey Hotel and Marina City Club have not been renovated and asked why are these small boat slips at twenty one dollars, twenty three fifty and twenty seven fifty a foot. Further, the Commission needs to ensure that Beaches and Harbors enforces appropriate rental rates in the Marina to encourage small craft boating and affordability for the average boater.

Nancy Marino asked if the averages on the slip survey had been calculated based on the number of slips per Marina or only on the rates. She questioned why Dock 77 was not on the survey, since they have affordable rates. She stated, the survey is incomplete, has poor information and needs to be improved.

Vice-Chairman Lesser said that Nancy makes an interesting point. The three rents are so out of line compared to everything else and their bottom number, whatever the bottom number means. Vice-Chairman Lesser then asked Mr. Wisniewski if he could try and get an explanation.

Chairman Searcy replied that other wise it seems to be spiking the averages.

Vice-Chairman Lesser replied that those three numbers are so out of line with everything else in the Marina.

Chairman Searcy added that while staff is looking at that, to also look at the methodology question.

Vice-Chairman Lesser added he would also like to know what the top and bottom top numbers represents.

Mr. Wisniewski replied that it does indicate the range, but we will be happy to report back.

Jun Yang is the Marina organizer for the People Organized for Westside Renewal. He wanted to see some oversight in regulations. Mr. Yang also added that we don't understand why it is so difficult for the people in the County of Los Angeles, who live, breath and die here to get any movement in and around the County of Los Angeles. We are asking for a little more transparency and a little more support for the community that we live in and work in.

Carla Andrus spoke about the manipulation of the Marina. She just received a copy of Deauville's lease and notice that Deauville has not been paying their ground rent of thirty two thousand dollars a month for the last seven years. She would like to sit down a write a number of questions and submit those questions to Chairman Searcy regarding the manipulation of Deauville Marina. Deauville Marina has all these slips out of commission. Bar Harbor is getting ready to send out their eviction notices so they may do their renovation. She feels it is only right that these boaters have a first come, first serve opportunity to be invited to the new marina at the same rent that they are paying at Bar Harbor.

Gerald Sobel is a boater who shares a slip at Pier 44. He spoke about his rent increase. He started paying \$135 a month and is now paying \$235 a month. This increase is over a eight-year period. He complained the high-rise buildings are blocking the wind for boaters.

Eric Kupris is a boat owner who rents a slip at Pier 44. He says that he cannot afford a fifty percent increase and asked for the County to buy his boat.

Rick Horner said this is not private real estate where the goal is the highest and best use of your property. This is almost a public park, where the highest is service for the community, not the highest

value that you can achieve on a square foot of property. He then asked how someone could be a member of the Commission.

Chairman Searcy asked Mr. Faughnan to respond.

Mr. Faughnan replied that the positions of the Small Craft Harbor Commission are filled by the Board Offices and there are certain qualifications for each one of these seats.

Chairman Searcy replied that if someone wished to be considered for sitting on this Commission, they should contact the Board of Supervisors.

Mr. Faughnan replied that Chairman Searcy was correct.

Mr. Horner replied that needed to be changed and he felt the Commission needs to have some balance.

Ronnie is a liveaboard at the Bay Club who is unhappy that he had a one hundred and fifty dollar rent increase this year. He said after the rent increase, the Bay Club changed the toilet paper in the bathrooms from two-ply to one ply.

Scott Ganary is a boat slip renter at the Bay Club who complained that things are not being repaired. He mentioned that he arrived one weekend and found no parking but noticed twenty-three unauthorized vehicles with no stickers. He mentioned the Harbormaster at his marina does not work on the weekends. Mr. Ganary presented pictures of the restrooms to the Commission. He also stated the mail drop on the weekend is behind a locked gate. He further mentioned that he has experienced the electricity go out four times. Afterwards, he received a letter from the office that he will be evicted if he is within five hundred feet of the office. The owner will not return his calls.

Howard Minkin is a licensed general contractor and a Marina resident and liveaboard. When he first lived in the Marina, his boat payment, insurance and rent was \$1,010.00 and now with no boat payment his rent alone is \$1,116.00. He spoke about the need for democracy and balance.

Rudi Pel has been a boater for the last forty years. He said he is afraid he is going to have to sell his boat because of slip increases.

John Rizzo asked why the questions he submitted early to staff were never answered.

Mr. Wisniewski replied that this was the first time that he has ever seen these questions.

Mr. Rizzo replied that he came into the office and gave the questions to Donna.

Mr. Wisniewski asked when he handed the questions in and advised him that he would have the response within a week.

Mr. Rizzo said he has seen this dog and pony show for 32 years. The Commission listened to us in 1975 and they jockey us around. We went to the Board of Supervisors, had three meetings and then came Policy Statement 27. Further, the only way to control the Marina is to look at the return on the investment. The cost to build plus the improvements. He said in his humble opinion, the Lessees are running the Marina by running the Supervisor. They own Don Knabe. Further, Don Knabe gets fifty thousand dollars campaign contributions from Jerry Epstein and Archstone. He also stated the County is losing over one hundred million dollars a year and that is why I don't have my questions answered. He ended by complementing Chairman Searcy on doing a good job.

Ed White has been a boater in the Marina for ten years. His boat slip rent has doubled at the Bay Club. He stated the working class people are getting squeaked out of the Marina.

Deborah Tallent is a resident of the Bay Club. She said that the tenants were forced into a lease since they would have to pay one hundred dollars more per month if they didn't sign a lease. Eight years ago, her slip fee was \$135 a month and as of September, her slip fee will be over \$600 a month. She stated the bathrooms are as bad as the pictures that were submitted earlier by another tenant

T. Gray is a longtime Marina del Rey resident who was in the same situation as the last speaker who felt that she was forced into signing a lease. She stated her slip fees have almost doubled at the Bay Club. She asked Mr. Faughnan to see the requirements for becoming a member of the Commission and cited how Santa Monica College has students on their Education Board.

Louis Scaduto said he would appreciate if the survey were broken out to show the private marina versus the yacht clubs and also the management companies in place. He would also like to see the

averages based on how many slips are in the area. In regards to the Southern California survey, he noticed that a majority of the slips are in a much lower rent profile.

Staff Comment

Mr. Wisniewski advised the public that there is a Marina del Rey slip vacancy chart for May and June 2007 available to the public at the public information table. He explained in the categories of 18 to 25 foot slips, there were 125 vacancies for the month of June. In the categories for 26 to 35 foot slips there were 39 vacancies. It is when you get into the 36 to 50 and 50 and over categories that there were only 6 vacancies.

He felt that there is a statewide if not a national trend for marinas that when they build new slips, the marinas go from a large number of small slips to a fewer number of larger slips, though they do maintain a balance in all of the categories. They do stress the larger slips. It's a matter of economics because the demand that we are not currently meeting is in the 36 and above category. The requirement that we have with the Lessees when they rebuild their slips is that they maintain a ratio that is consistent with the State Department of Boating and Waterways. They have done a study on this very issue and they have recommended ranges of percentages that an anchorage should have in each slip size catalog. The California Coastal Commission is aware of that standard and he believes they are using that when they are evaluating the number of slips that are different sizes.

Mr. Wisniewski stated this place is not run by contributions to the Supervisors. He is a paid executive and he makes recommendations to the Board. He has not seen a Supervisor give him direction on a deal point. Every deal that is made in Marina del Rey is verified as being a market pursuant to an appraisal and we are least achieving market and in many cases, we over achieved. We have some of the toughest leases in the Country.

Mr. Wisniewski stated that in our slip rental rate survey, we survey ten thousand boat slips in Southern California and Marina del Rey falls in line with the rental rates of ten thousand other boats in Southern California. He stated that all of the proponents today would like to see investment defined as original cost. The Board of Supervisors has defined the term investment, as what is the market value is of that leasehold. Mr. Wisniewski said he does not support fifty percent increase as Mariners Bay has done and he has talked to that Lessee. Their fifty percent increase did not bring their rents above what is consider market. He felt that it was unfortunate that the Lessee did fifty percent and he has encouraged all the Lessees to increase slip rental rates in a balance manner rather than try to

catch up with the market all at one time. Further, he is taking full responsibility for the Mariners Bay increase and it is compliant with the Lease and pursuant to Policy Statement 27.

Chairman Searcy asked how long is left on their lease.

Mr. Wisniewski replied he thought they had asked for a lease extension and the Department came back to them with terms. He thought that Mariners Bay has about twelve years left. The Department explained to Mariners Bay that the Department needed higher percentage rents from them in order to keep the County whole because the County can get this leasehold back in twelve years. Mariners Bay declined to date.

Vice-Chairman Lesser said he was looking at the schedule that the Commission was given and if you add May and June 07 compared to May and June 06, in May and June 06 it shows one million six seventy two and in May and June 07 it shows one million six ninety nine, which is a two percent increase in gross receipts.

Mr. Wisniewski replied that he believed Mr. Nahas prepared the summary. Further, he was not sure if that summary was the total gross receipts of the leasehold or just boat slip rentals.

Chairman Searcy said Mr. Wisniewski could look into it.

Mr. Wisniewski said he would be happy and then Vice Chairman Lesser replied that he wanted to know where was the rest of the money.

Mr. Wisniewski can verify that there was a fifty percent increase at Mariners Bay.

Mr. Wisniewski said that the Department conducts a premises maintenance inspection on the water every six weeks and on the land every eight weeks. He added that if the Lessee is not responsive to correcting the deficiency, the Department issues default notices. He guesses that the Department has issued six to ten notices in the four to five months. In the new leases, we require the Lessees to pay us one hundred dollars per day per violation that they go past the deadline that the Department sets.

Commissioner Delgado said the two situations that were most prevalent were the Bay Club and Mariners Bay. He asked if the Department has done have done everything that they can.

Vice-Chairman Lesser commented that the picture of the Bay Club bathroom was disgusting. He asked Mr. Wisniewski if the Lessee does not correct the deficiency and cannot be charged money though the lease, then what can the Department do.

Mr. Wisniewski replied that once the lease default notice goes out, then the lender can enter the game and insist that the violations be corrected.

Vice-Chairman Lesser asked if default notices have gone out to these Lessees.

Mr. Wisniewski replied that he didn't know when those pictures had been taken.

Commissioner Delgado asked that the Commission get some follow up on the bathroom item in the picture.

Mr. Wisniewski said that the Department would be happy to follow up on that specific item, and asked if that item was at the Bay Club?

Commissioner Delgado replied yes.

Commissioner Landini said while there was a great deal said, there was not a lot of focus as to what was said in terms of a call to action. He has summarized what he has heard and has put them into two motions that he would place before this Commission to act on.

1) The County Board of Supervisors call for an independent investigation and audit of boat slip rental rates within Marina del Rey and that the results of that investigation and audit be made Public.

Vice-Chairman Lesser replied that audits cost a lot of money and if we already know the rental rates in Marina del Rey, then why do we have to spend money to have an audit.

Mr. Wisniewski replied that the numbers are correct. What are you going to want to use as an investment base. Do you want a Santa Monica style rent control here? He further added the Board of Supervisors decided that Marina del Rey was going to be a market driven structure.

Mr. Faughnan explained the County of Los Angeles does not have rent control provisions for the unincorporated areas. We did have rent control back in the eighties, when the Board determined there was a housing shortage but those provisions expired around 1985 and since then, there has been no rent control in Marina del Rey or anywhere else in the unincorporated areas. What we do have in Marina del Rey is a price control provision in the leases which provides the County, specifically the Director the right to determine if the prices are fair and reasonable under the lease given the factors that are set forth in that provision and the Lessees have the right to appeal a determination of the Director to the Board of Supervisors. Your Board only has the right to make recommendations to the Board regarding prices if the Board has actually requested you to do so. You can certainly make recommendations to the Board as we have talked about before. You are an advisory commission to the Board of Supervisors. You can make a motion or recommendation that the Board follows some particular action but the Commission does not have any independent right to review prices or undertake an investigation of price review.

Chairman Searcy thanked Mr. Faughnan and said that he understood. He continued to explain that Deauville was tied up in litigation for several years, which was one of the reasons for the cause of the delay. Some slips were out of commission, some were being refurbished, some had spent the money and they wanted to get their money back, some renters did not receive rent increase for a long time and when they did, they got it all at once. This is creating an issue and a problem and this is something that the Board of Supervisors needs to be aware of. This is part of the Commission's responsibility and asked how do we make them aware of this problem.

Commissioner Landini replied that with the comments that the Director has made, he could withdraw this motion if the Director would be so good as to create something as a motion that the Commission could do.

Mr. Faughnan said that this Commission is a advisory commission to the Board and that the Commission can approve a memo or communication to the Board of Supervisors, which raises the concerns that have been raised from the public; which you believe have validity and should be further investigated.

Chairman Searcy replied that the Commission couldn't just sit and let this pass. We have got to let them know there is a problem. The Commission wants to see something at the next meeting.

Mr. Wisniewski replied that we will draft a report from your Commission to the Board of Supervisors and we will have it at the next meeting.

Commissioner Landini gave his Motion Number #2

2) Board of Supervisors to establish a policy to 1) exclude boat slips from all future leases of County land within Marina del Rey. 2) Establish the Department of Beaches and Harbors as the operator in charge of renting, maintaining, and operating boat slips as current leases affecting the boats slips comes to an end of term. 3) That the Small Craft Harbor Commission be designated as the oversight commission approving slip rental rates for slips directly under County control.

Vice-Chairman Lesser said he would like to get the pros and cons before voting on this motion.

Commissioner Landini replied maybe the best way to handle motion number two is to have the Director to prepare a report that we could look at for transmission to the Board of Supervisors with the pro and cons of all three points.

Vice-Chairman Lesser replied that this sounded great but the County has to maintain and repair the slips when they fall apart. Vice-Chairman Lesser was on the City Council for Manhattan Beach. Manhattan Beach had civil service city employees doing their landscaping. When they brought in private industry in to do the job, the cost went from \$450,000 a year to \$150,000 a year and private industry did a better job. When Manhattan Beach got rid of the city trash business, everyone saved twenty five percent. Government is not notoriously efficient at doing things.

Commissioner Delgado replied that the only thing that she is willing to support is the review of what the pros and cons are.

Chairman Searcy asked Mr. Wisniewski if he had enough time between now and then to do an exhaustive review of the County taking over the operation of the boat slips.

Mr. Wisniewski replied that he didn't think that they were going to end up having an exhaustive review but we'll do the best that we can by the next meeting because this issue has a sense of urgency.

b. Compliant re: Capri Apartments Affordable Unit Rent Overcharges and Refunds

Mr. Faughnan stated that himself and staff from the Community Development Commission met with the Lessee and the Lessees representatives and that they reached an agreement and understanding on the appropriate rates to be charged for the affordable units and what were not appropriate charges.

The Lessee has prepared information for the CDC to review of what the overcharges are for each individual apartment and the CDC is currently reviewing that information and once they confirm the information is correct, the Lessee will be cutting checks and sending the individuals tenants letters informing them of the appropriate rates and providing them with reimbursement of the overcharge.

Chairman Searcy asked if that would include interest.

Mr. Faughman replied yes.

CHAIRMAN SEARCY OPENED THE FLOOR TO PUBLIC COMMENT

Nancy Vernon Marino stated that she thought at the last meeting there was an acknowledgement that the lessees had overcharged the tenants and the amounts were pretty much understood. She thought the Commission should recommend that in addition to their money, there should be a penalty

for any more time taken. The overcharging was done illegally to begin with and to just simply give them money back with interest is not adequate in this situation.

Mary Ann Weaver asked Mr. Faughman when is this going to happen.

Mr. Faughman replied the CDC received the information yesterday, as did he. He has not been able to touch base with them, since he is here today. To determine how long the review will take, he doesn't imagine that it will take very long. The Lessee has agreed to send the checks and letters out as soon as they get confirmation from CDC that the numbers are correct.

Ms. Weaver replied that seven tenants including her have gone to the State and that the Lessee is violating State law. The State told her that it should not have taken nineteen months for the County to correct this problem. The gentlemen advised her to put in a complaint and get the State involved.

Carla Andrus stated she was disappointed that the public was not at the CDC meeting. She further stated that she asked Mr. Faughnan if the public could attend and he said, absolutely not. It was important for the public to be at this meeting because something is going on between the County and Goldrich and Kest. There are issues on Parcel 18 that have never been addressed, which is another arrangement between the County and Goldrich and Kest.

Mr. Wisniewski replied that if the Commission is interested, that we could invite the Community Development Commission. They receive a fee from Lessees for monitoring the affordable housing issue units in the Marina. Mr. Wisniewski stated he would be interested in them making a presentation to the Commission.

Chairman Searcy replied to please do so.

Chairman Searcy called Mr. Gardner to the table.

Chairman Searcy asked Mr. Faughnan if there was any reason why Mr. Gardner couldn't cut the tenants checks today.

Mr. Faughnan replied there was no legal reason.

Mr. Gardner replied to Chairman Searcy that he told him previously that if they made an error they would fix it. It had taken them a while to get together with CDC, but as promised they did. The calculation that they used which they were initially directed to use was a federal guideline. Those were the rents that we used. We didn't pull them out of the air. When we met with the CDC, they told us we were using state guidelines and they showed us how they made the calculations and we showed them how we made the calculations. Mr. Garner said the only reason that they did not send the checks out was that he did not want the CDC to come back and say the calculation was not correct. Further, within the next couple of days, the residents should receive a check and effective September 1st the tenants will be paying new rents. He is waiting for a phone call back from Mr. Babcock just to clarify that we are on the right track.

Jun Yang said that the tenants have asked for one-year leases and never once have had that opportunity. This is supposed to now go though but if it doesn't, he thinks there should be violations or punishments given to the Lessees.

5. NEW BUSINESS

a. None

6. STAFF REPORTS

a. Ongoing Activities

Mr. Wisniewski suggested given the hour of the day, the Commission receive and file the report unless the Commission had any questions.

Chairman Searcy said he was going to pull the item but would like to go to the Local Coastal Program Periodic Review.

Staff Comment

Mr. Wisniewski said there were about twenty people that spoke before the Commission in San Luis Obispo at their last meeting in July. We identified the issues that were raised and we understand that the Commission will again hear the Marina del Rey periodic review at their October meeting in the Los Angeles area.

Commissioner Landini asked if we would hear any response.

Mr. Wisniewski replied that once the Commission acts, the County has one full year to respond in which the response will go through the Board of Supervisors. The staff report will be brought through this Commission.

CHAIRMAN SEARCY OPENED THE FLOOR TO PUBLIC COMMENT

Nancy Vernon Marino said the County has already taken more than one year to respond. She stated there was an original draft in June 2005, followed by a one year public comment period in which the County had equal opportunity with the public to submit and language recommendations after which the Commission was suppose to come up with a final draft and have a public hearing to move and vote on that final draft of recommendation. The County for some reason thought it they didn't have enough time to respond to that final draft and has had this delayed since July of last time. In the meantime, your Commission, the Department of Beaches of Harbors, the Department of Regional Planning have been moving merrily along with all sorts of projects that have been in violation of the letter of the law of the Costal Commission ordinances, the Specific Plan and many more which are in violation of the spirit of the land use plan. She spoke of a public information request that the County claims is confidential. This was submitted in writing to the Coastal Commission with the request that it be kept confidential. The Commission said no, we can't. It will become public information. The County withdrew it and claims it is confidential.

Jun Yang read a letter into record from Don Klien requesting a state senate investigation regarding boat slips increases.

Carla Andrus asked the Commission to make a public information request for the correspondence between the Director and Andi Culbertson.

Chairman Searcy replied to Ms. Andrus that she needs to put the request into writing.

Mr. Faughnan replied to Ms. Andrus that she needs to submit the request to the Department of Beaches and Harbors and not the Commission.

Chairman Searcy told Ms. Andrus to submit the request to the Department of Beaches and Harbors.

7. COMMUNICATION FROM THE PUBLIC

Katherine Montesano said she is in affordable housing and just received a ninety-dollar increase at the Marina Harbor Apartments. She is on a fixed limited income. She also said they are now reviewing the criteria for 2007.

Commission Searcy asked Mr. Faughnan if staff could look at this matter. We just went through this with Capri Apartments.

Mr. Faughnan replied yes.

Virginia Hardy read a letter that she wrote to Supervisor Knabe about how difficult it is to obtain senior housing.

Nancy Vernon Marino spoke about Sewer System Management Plan Development Schedule. On the third box down under legal authority, item e) enforce any violation of its sewer ordinances. She thinks that is a slip, she thinks they mean enforce the sewer ordinances or enforce penalties for violations of an ordinance. In the next box down, item d) providing preventative activities and tracking work orders. On Panay Way, she would like to know about the runoff diversion project from Mothers Beach over into the sea basin. That project was approved and there was supposed to be four trucks and seventy thousand cubic yards of asphalt removed. After talking to an engineer over there, she found out there has only been one truck and seventeen thousand cubic yards of asphalt removed. If the project was approved at the cost of using four trucks and extra tens of thousands of cubic yards of asphalt, then where is the money? Was it spent? Did it disappear? She would like this tracked and made a part of the official record. She wants an official investigation and for the department to report back to the Small Craft Harbor Commission at the next meeting. She thanked the Commission and asked them to demand a master plan before this Commission gives any approvals for any more projects.

William Vaeszk said the boats are legal second homes and boat owners are getting the shaft. We have to have a legal way to force the County to be more consumer friendly. He feels we should run the marina like a mobile home park.

James Oates spoke about having a better rating system for the boat slip survey.

Mr. Nahas spoke to the Commission about having night and weekend meetings so more members of the public can attend.

Chairman Searcy replied that they would have another night meeting however the last time they had a night meetings everyone left after the development presentation was over.

Lastly, Mr. Nahas John commented that you can't give confidential documents to the California Coastal Commission as Los Angeles County did. Mr. Nahas stated he contacted the Coastal Commission and they told him they did not know what was going on when they received the documents. They called their attorneys and the attorneys told the Commission to do nothing and to send it back to Los Angeles County.

Chairman Searcy tried to explain the public information act and tried to tell Mr. Nahas that it is not as cut and dry, as it seems. He advised him to read the public records act and case laws.

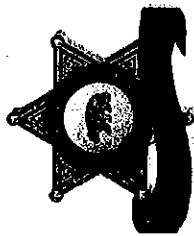
ADJOURNMENT

Chairman Searcy adjourned the meeting at 1:23 p.m.

Respectfully submitted by:

Maureen Sterling,

Acting Commission Secretary



**LOS ANGELES COUNTY SHERIFF'S DEPARTMENT
MARINA DEL REY STATION
PART I CRIMES-SEPTEMBER 2007**



	West Marina 2760	East Marina 2761	Lost R.D. 2762	Marina Water 2763	Upper Ladera 2764	County Area 2765	Lower Ladera 2766	Windsor Hills 2767	View Park 2768	TOTALS
Homicide										0
Rape										0
Robbery: Weapon		1						1		2
Robbery: Strong-Arm								1	2	3
Aggravated Assault						1	1	2		4
Burglary: Residence	2				3		7	3	1	16
Burglary: Other Structure	3	2		1		1	3	4	3	17
Grand Theft	2	3				1		2	1	9
Grand Theft Auto	4	2					1	2	1	10
Arson									1	1
Boat Theft										0
Vehicle Burglary	6	2			1	1	1		3	14
Boat Burglary										0
Petty Theft	8	4				1	3	2		18
REPORTING DISTRICTS TOTALS	25	14	0	1	4	5	17	17	11	94

Note- The above numbers may change due to late reports and adjustments to previously reported crimes.

Source- LARCIS, Date Prepared -OCTOBER 2, 2007
CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES- SEPTEMBER-2007



Community Advisory Committee	Upper Ladera 2764	Lower Ladera 2766
Homicide	0	0
Rape	0	0
Robbery: Weapon	0	0
Robbery: Strong-Arm	0	0
Aggravated Assault	0	1
Burglary: Residence	3	7
Burglary: Other Structure	0	3
Grand Theft	0	1
Grand Theft Auto	0	1
Arson	0	0
Boat Theft	0	0
Vehicle Burglary	1	1
Boat Burglary	0	0
Petty Theft	0	3
Total	4	17

Note- The above numbers may change due to late reports and adjustments to previously reported crimes.

Source- LARCIS, Date Prepared **OCTOBER 2, 2007**
CRIME INFORMATION REPORT - OPTION B

LOS ANGELES COUNTY SHERIFF'S DEPARTMENT

MARINA DEL REY STATION

PART I CRIMES-SEPTEMBER 2007



	MARINA AREA (RD'S 2760- 2763)	EAST END (RD'S 2764- 2768)
Part I Crimes		
Homicide	0	0
Rape	0	0
Robbery: Weapon	1	1
Robbery: Strong-Arm	0	3
Aggravated Assault	0	4
Burglary: Residence	2	14
Burglary: Other Structure	6	11
Grand Theft	5	4
Grand Theft Auto	6	4
Arson	0	1
Boat Theft	0	0
Vehicle Burglary	8	6
Boat Burglary	0	0
Petty Theft	12	6
Total	40	54

Note- The above numbers may change due to late reports and adjustments to previously reported crimes.

Source- LARCIS, **Date Prepared** -OCTOBER 2, 2007
CRIME INFORMATION REPORT - OPTION B

MARINA DEL REY HARBOR ORDINANCE SEAWORTHY & LIVEBOARD COMPLIANCE REPORT 2007

	August	September
Liveboard Permits Issued (NEW)	4	3
(RENEW)	9	4
Total	13	7
Notices to Comply Issued	5	7

	<u>Last Meeting</u>	<u>Present</u>
Total Reported Liveboards:	368	368
Total Current Liveboard Permits Issued:	207	170
Total expired permits:	45	85
Total Reported Liveboards without permits:	116	113
Total reported vessels docked in Marina del Rey Harbor:	4,416	
Percentage of vessels that are registered liveboards:	8.3%	

No new citations were issued for violations of 19.12.1110 L.A.C.C. (liveboard permit) or 19.12.1060 L.A.C.C. (un-seaworthy vessel) in the months of July and August.

Number Of Impounded Vessels Demolished

To date, two hundred thirty-one (231) vessels have been removed from the marina for disposal, twenty-six (26) of those in 2007. Currently, two (2) vessels are ready for disposal and Fourteen (14) are awaiting lien sale procedures.



To enrich lives through effective and caring service



October 4, 2007

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director *SWisniewski*

SUBJECT: **AGENDA ITEM 3b- MARINA DEL REY AND BEACH SPECIAL EVENTS**

MARINA DEL REY

DISCOVER MARINA DEL REY DAY 2007

Sponsored by the Los Angeles County Department of Beaches and Harbors
and Arrowhead Mountain Spring Water
Burton Chace Park, 13650 Mindanao Way
Sunday, October 7
11:00 a.m. to 4:00 p.m.

Discover Marina del Rey Day 2007 is a community event that can be enjoyed free of charge to the public, featuring booths from various organizations on health, safety and the environment, plus games, music, face painting and a children's marionette show. Visitors who wish to use the popular inflatable games can pay \$5.00 for a wristband. Food and soft drinks are also available for purchase at the park's restaurant, Café Lorelei, throughout the day.

Parking at a reasonable rate is available in County Lot 4 near the venue and in County Lot 5 on Bali Way.

For more information call: Marina del Rey Information Center at (310) 305-9545.

Harbor Kayaking Program

Burton Chace Park ♦ 13650 Mindanao Way ♦ Marina del Rey ♦ CA ♦ 90292
Saturday, October 27
11:30 a.m. to 1:45 p.m.

Last chance to come and take a kayaking lesson in Marina del Rey harbor. This two-hour session begins with Los Angeles County Lifeguard instruction and water safety. The group will get the opportunity to enjoy Marina del Rey's basins. This is a great opportunity for families to have a fun and educational day in Marina del Rey.

Program requires pre-registration. Fees are \$25 (youths 10–18) and \$30 (19 or older). Fees must be paid upon registering.

BEACH EVENTS

15th ANNUAL HERMOSA BEACH TRIATHLON AND FESTIVAL

"DAY AT THE BEACH"

Sponsored by City of Hermosa Beach

Sunday, October 14

7:00 to 11:00 a.m.

The Day at the Beach Triathlon at Hermosa Beach features a fun and safe, beginner-oriented course. The event starts with a cool, refreshing ocean swim (wetsuits are recommended). This is followed by a 10-mile bike course that takes racers down Hermosa Ave. and loops around Valley/Ardmore coming back to Hermosa. There will be lots of volunteers, and it is always very well marked. The 3-mile run is an out-and-back course on the Strand with a scenic ocean view. If you are a beginner, this race is an excellent way to start in the sport of triathlon!

For more information call: (818) 707-8867 or register online at www.mesp.com.

WAKE UP WITH THE WAVES

Santa Monica Pier Parking Deck

9:00 to 11:00 a.m.

October 6

Brandy Rymer Music for kids with a rock n' roll heart! Rockin' dad Brady Rymer presents songs for kids that are as empowering as they are enjoyable. The Breathe & Boogie Tour presented by Children's Dimetapp is sure to be an exciting afternoon full of fun activities, free giveaways for mom, healthful tips for cold and flu season and a concert by Brady Rymer.

October 13

African Drums and Dance - Bring your own percussion instrument for the drum circle or play one of ours. Ben and Stephanie from the Village Arts Center demonstrate and perform authentic African rhythms.

October 20

'Pirates and Princesses' by Michael Cladis and Rachel Owe. An opportunity for young children to play with some of Santa Monica's top musicians.

October 27

Mariachis para sus Niños. Gary Valentine presents Mexican folk music for mini-bailadores.

For more information call: The Santa Monica Pier Restoration Corporation at (310) 458-8900 or visit website <http://www.santamonicipier.org/>.

SW:DC:ks



To enrich lives through effective and caring service



Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

October 4, 2007

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director *SWisniewski*

SUBJECT: **ITEM 4a – COUNTY REVIEW OF BOAT SLIP RENTAL RATES**

During the August 8, 2007 meeting, a member of the audience raised a concern about the slip rental rates listed on the survey table for the 12' to 25' boat slip category at Parcels 10 (Neptune Marina), 42 (Marina Del Rey Hotel), and 1251 (Marina City Club) (See Exhibit 1). As a result of that concern, your Commission instructed the Department to conduct a detailed review of the survey information to determine the cause of the apparent discrepancy in the lineal foot calculation for the 12' to 25' slip categories for the above-mentioned Parcels.

Lineal Foot Rental Rate Calculation

Our analysis of the survey information revealed that the apparent discrepancy in the lineal foot rental rate calculation was due to a mathematical aberration. More specifically, the lessees for the above-mentioned Marina locations charge a single rate for a 25' boat slip regardless of the size of the vessel moored at the dock. Since the lineal foot rental rate identified in the original slip survey is calculated by dividing the monthly rental rate by the size of the boat, it results in a higher lineal foot rental rate for a 12' boat compared to a 25' boat. Consequently, this calculation methodology, while technically correct, was counterintuitive and resulted in much confusion and misinterpretation of the slip survey data.

New Survey Report Format

In order to alleviate any further misinterpretation of the slip survey data, the Department has conducted a detailed review of how we presently gather and present such survey information to your Commission. Accordingly, we have resurveyed and compiled the most current slip rental rates for Marina del Rey (MDR) and comparable Southern California anchorages for the month of September 2007. We reformatted the slip survey matrix to reflect the monthly slip rental rates and the lineal foot rental rates based on the standard dock sizes available within MDR and comparable Southern California marinas.

We believe this modification to the report format will make comparison of the slip rental rates among the various anchorages less confusing and more understandable. September 2007 surveys of slip rental rates in the new format for Marina del Rey and other harbors are attached as Exhibits 2 and 3, respectively. As detailed in the summary tables below, the September 2007 slip survey information indicates that the slip rates charged for a 25', 30', 35', and 45' boat slip in MDR are below the average rates charged at other Southern California harbors. MDR slips in the 40' and 50' categories have a higher average rate than those in other harbors, but are well within the range of rates at other Southern California marinas.

Lineal Foot Rental Rates for Marina del Rey Anchorages – September 2007

	<u>25'</u>	<u>30'</u>	<u>35'</u>	<u>40'</u>	<u>45'</u>	<u>50'</u>
High	\$17.00	\$18.00	\$19.00	\$20.00	\$20.15	\$23.54
Average	\$12.24	\$13.57	\$15.04	\$17.09	\$18.39	\$20.67
Low	\$8.00	\$7.51	\$9.21	\$9.55	\$9.87	\$10.18

Lineal Foot Rental Rates for Southern California Anchorages – September 2007

	<u>25'</u>	<u>30'</u>	<u>35'</u>	<u>40'</u>	<u>45'</u>	<u>50'</u>
High	\$21.08	\$30.73	\$30.71	\$31.38	\$38.69	\$33.14
Average	\$12.63	\$15.10	\$15.69	\$16.24	\$18.69	\$17.86
Low	\$8.00	\$9.25	\$9.50	\$10.00	\$10.00	\$10.00

SW:KG:SHK
PW:rf
Attachments (3)

Marina del Rey Slip Survey					Jul-07
ANCHORAGE	12' - 25'	26' - 35'	36' - 49'	50' +	
	Rent/Ft.	Rent/Ft.	Rent/Ft.	Rent/Ft.	
Neptune Marina	\$ 21.00	\$ 10.50	\$ 12.84		
Tahiti Marina	\$ 10.08	\$ 11.66	\$ 10.21		
Bay Club Apts Marina		\$ 11.77	\$ 18.92	\$ 17.99	
		\$ 15.46	\$ 23.02	\$ 47.39	all 57 ft.
Villa Del Mar Marina		\$ 14.60	\$ 17.73		
		\$ 14.15	\$ 15.61		
Bar Harbor Marina		\$ 12.50	\$ 14.00	\$ 16.10	
	\$ 10.85	\$ 17.50	\$ 20.15	\$ 23.10	all 50 ft.
Dolphin Marina	\$ 11.50	\$ 11.50	\$ 14.00	\$ 18.25	50 ft.
Panay Way Marina	\$ 13.34	\$ 10.00	\$ 12.50	\$ 16.84	50 ft.
	\$ 11.52	\$ 14.38	\$ 19.37	\$ 29.36	65 ft.
Holiday Harbor Marina	\$ 13.34	\$ 10.00	\$ 12.50		
Mariners Bay	\$ 11.52	\$ 14.38	\$ 19.37		
Del Rey Club	\$ 7.42	\$ 7.42	\$ 9.10	\$ 10.31	50 ft.
Catalina Yacht	\$ 8.00	\$ 8.50	\$ 12.50	\$ 14.02	77 ft.
Marina del Rey Hotel	\$ 8.50	\$ 10.50	\$ 12.50		
Pier 44	\$ 23.50	\$ 13.89			
Santa Monica Windjammers Yacht Club	\$ 13.64	\$ 12.72			
The Boat Yard	\$ 9.00	\$ 12.00	\$ 15.00		
Windward Yacht Club	\$ 14.00	\$ 17.00	\$ 20.00		
Marina Harbor P111	\$ 5.00	\$ 11.23	\$ 16.06		
Marina Harbor P112	\$ 11.24	\$ 12.49	\$ 14.00		
Marina City Slips	\$ 13.00	\$ 17.00	\$ 19.00		
California Yacht Club	\$ 13.00	\$ 17.00	\$ 19.00		
		\$ 11.80	\$ 14.16	\$ 16.51	51 ft.
		\$ 14.16	\$ 23.60	\$ 28.31	60 ft.
	\$ 11.50	\$ 11.50	\$ 16.00	\$ 23.00	50 ft.
	\$ 12.00	\$ 16.00	\$ 23.00	\$ 35.00	60 ft.
	\$ 11.50	\$ 11.50	\$ 16.00	\$ 23.00	50 ft.
	\$ 12.00	\$ 16.00	\$ 23.00	\$ 35.00	60 ft.
	\$ 27.50	\$ 15.58	\$ 18.75	\$ 24.20	51 ft.
	\$ 14.20	\$ 15.86	\$ 23.47	\$ 24.20	60 ft.
	\$ 11.45	\$ 11.45	\$ 17.25	\$ 21.65	50 ft.
	\$ 11.45	\$ 13.95	\$ 19.95	\$ 22.45	80 ft.
Averages	\$ 12.89	\$ 11.89	\$ 15.00	\$ 18.73	
	\$ 11.63	\$ 14.39	\$ 18.54	\$ 30.12	

Southern California Slip-Rent Survey

ANCHORAGE	LOCATION	VACANT	12' - 25'				26' - 35'				36' - 49'				50' +				SLIPS
			Rent/Ft.	Rent/Ft.	Rent/Ft.	Rent/Ft.	Rent/Ft.	Rent/Ft.	Rent/Ft.	Rent/Ft.	Rent/Ft.	Rent/Ft.	Rent/Ft.	Rent/Ft.	Rent/Ft.	Rent/Ft.	Rent/Ft.	Rent/Ft.	
Newport Harbor Marina	Newport Bay	N/A																	
Balboa Marina	Newport Bay	0-0-0-0	\$ 19.50	\$ 20.00	\$ 20.00	\$ 24.75	\$ 24.75	\$ 31.00	\$ 31.00	\$ 50 ft.									132
Bayside Marina	Newport Bay	0-0-0-0	\$ 20.00	\$ 23.50	\$ 23.50	\$ 28.75	\$ 28.75	\$ 31.50	\$ 31.50	\$ 55 ft.									
Lido Yacht Anchorage	Newport Bay	0-0-0-0	\$ 18.00	\$ 28.25	\$ 28.25	\$ 34.25	\$ 34.25	\$ 41.00	\$ 41.00	\$ 60 ft.									102
Swales Anchorage	Newport Bay	0-0-0-0	\$ 28.25	\$ 28.50	\$ 28.50	\$ 41.00	\$ 41.00	\$ 44.50	\$ 44.50	\$ 74 ft.									
San Pedro Marina	Newport Bay	0-0-0-0	\$ 15.25	\$ 18.00	\$ 18.00	\$ 21.00	\$ 21.00	\$ 24.25	\$ 24.25	\$ 50 ft.									251
Bayshore Marina	Newport Bay	0-0-0-0	\$ 18.00	\$ 21.00	\$ 21.00	\$ 23.25	\$ 23.25	\$ 28.50	\$ 28.50	\$ 135 ft.									
Bayside Village Marina	Newport Bay	0-0-0-0	\$ 12.00	\$ 12.00	\$ 12.00	\$ 18.00	\$ 18.00	\$ 31.00	\$ 31.00	all 50 ft									55
Redondo Beach Marina	Newport Bay	0-0-0-0	\$ 12.00	\$ 17.00	\$ 17.00	\$ 20.00	\$ 20.00	\$ 10.00	\$ 10.00	\$ 50 ft.									95
Peter's Landing	Newport Bay	0-0-0-0	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 10.00	\$ 55 ft.									
Oceanside Marina	Newport Bay	0-0-0-0	\$ 21.50	\$ 28.25	\$ 28.25	\$ 34.25	\$ 34.25	\$ 41.00	\$ 41.00	\$ 60 ft.									134
King Harbor Marina	King Harbor	0-0-0-0	\$ 21.50	\$ 28.50	\$ 28.50	\$ 35.75	\$ 35.75	\$ 44.50	\$ 44.50	\$ 74 ft.									
Huntington Beach	Huntington Beach	X-0-0-0	\$ 17.50	\$ 19.25	\$ 19.25	\$ 24.50	\$ 24.50	\$ 31.00	\$ 31.00	\$ 215									
Ventura Harbor	Ventura Harbor	N/A	\$ 19.25	\$ 23.50	\$ 23.50	\$ 31.00	\$ 31.00	\$ 38.25	\$ 38.25	\$ 58									
Port Royal Marina	King Harbor	0-0-0-0	\$ 9.25	\$ 9.50	\$ 9.50	\$ 12.00	\$ 12.00	\$ 14.50	\$ 14.50	\$ 65 ft.									
Ventura Harbor	Ventura Harbor	N/A	\$ 9.50	\$ 12.00	\$ 12.00	\$ 14.50	\$ 14.50	\$ 18.50	\$ 18.50	\$ 325									
King Harbor Marina	King Harbor	0-0-0-0	\$ 8.67	\$ 10.77	\$ 10.77	\$ 13.70	\$ 13.70	\$ 17.24	\$ 17.24	\$ 50 ft.									827
Port Royal Marina	King Harbor	0-0-0-0	\$ 10.67	\$ 13.35	\$ 13.35	\$ 17.60	\$ 17.60	\$ 16.70	\$ 16.70	\$ 83 ft.									
Port Royal Marina	King Harbor	7-0-0-0	\$ 11.25	\$ 11.25	\$ 11.25	\$ 15.00	\$ 15.00	\$ 17.50	\$ 17.50	\$ 50 ft.									338
Ventura West Marina	Ventura Harbor	1-0-0-0	\$ 11.25	\$ 13.00	\$ 13.00	\$ 17.50	\$ 17.50	\$ 17.50	\$ 17.50	\$ 80 ft.									
Island Yacht Anchorage	LA/LB Harbor	1-0-0-0	\$ 17.50	\$ 10.81	\$ 10.81	\$ 11.31	\$ 11.31	\$ 12.00	\$ 12.00	\$ 50 ft.									554
Pacific Yacht Landing	LA/LB Harbor	0-0-0-0	\$ 10.70	\$ 11.26	\$ 11.26	\$ 11.87	\$ 11.87	\$ 13.50	\$ 13.50	\$ 80 ft.									
Anacapa Isle Marina	Channel Island Harbor	0-0-0-0	\$ 10.00	\$ 10.00	\$ 10.00	\$ 12.00	\$ 12.00	\$ 12.00	\$ 12.00	\$ 100									
Follows Cove Landing	LA/LB Harbor	N/A	\$ 10.00	\$ 12.00	\$ 12.00	\$ 12.00	\$ 12.00	\$ 12.00	\$ 12.00	\$ 65 ft.									
LA/LB Harbor	LA/LB Harbor	0-0-0-0	\$ 8.00	\$ 9.50	\$ 9.50	\$ 10.00	\$ 10.00	\$ 11.50	\$ 11.50	\$ 180									
Channel Island Harbor	Channel Island Harbor	0-0-0-0	\$ 9.00	\$ 10.00	\$ 10.00	\$ 11.00	\$ 11.00	\$ 12.00	\$ 12.00	\$ 70 ft.									
LA/LB Harbor	LA/LB Harbor	N/A	\$ 12.80	\$ 16.00	\$ 16.00	\$ 18.34	\$ 18.34	\$ 18.18	\$ 18.18	\$ 440									
LA/LB Harbor	LA/LB Harbor	N/A	\$ 12.80	\$ 15.26	\$ 15.26	\$ 18.56	\$ 18.56	\$ 19.32	\$ 19.32	\$ 60 ft.									

Southern California Slip-Rent Survey

ANCHORAGE	LOCATION	VACANT	12' - 25'	26' - 35'	36' - 49'	50' +	SLIPS
			Rent/Ft.	Rent/Ft.	Rent/Ft.	Rent/Ft.	
Dana West Marina	Dana Pt. Harbor	0-0-0-0	\$ 22.92	\$ 13.35	\$ 18.81	\$ 17.86	50 ft. 981
			\$ 12.92	\$ 16.55	\$ 18.23	\$ 17.59	55 ft.
Holiday Harbor-Wilmington	L/LB Harbor	0-0-0-0	\$ 7.50	\$ 9.25	\$ 11.00		200
			\$ 8.50	\$ 10.50	\$ 11.00		
Dana Point Marina	Dana Pt. Harbor	0-0-0-0	\$ 20.75	\$ 12.43	\$ 16.09	\$ 17.86	50 ft. 1400
			\$ 12.92	\$ 16.55	\$ 18.23	\$ 19.71	85 ft.
Long Beach Marina	Alamitos Bay	0-0-0-0		\$ 9.90	\$ 9.90	\$ 11.05	50 ft. 1569
				\$ 9.90	\$ 10.85	\$ 11.05	60 ft.
Ventura Isle Marina	Ventura Harbor	0-0-0-0		\$ 14.35	\$ 16.48	\$ 16.02	50 ft. 580
			\$ 11.44	\$ 13.72	\$ 16.35	\$ 17.05	60 ft.
Cerritos Bahia Marina	Alamitos Bay	0-0-0-X	\$ 8.00	\$ 8.50	\$ 9.00		254
			\$ 8.00	\$ 9.00	\$ 9.00		
Sunset Aquatic Marina	Huntington Beach	0-0-0-0	\$ 12.00	\$ 13.00	\$ 17.00	\$ 18.00	50 ft. 240
			\$ 13.00	\$ 16.00	\$ 18.00	\$ 18.00	100 ft.
Ventura County Marina (Former Channel Island Marina)	Channel Island Harbor	not taking		\$ 12.00	\$ 14.81	\$ 18.56	52 ft. 540
			\$ 11.28	\$ 15.23	\$ 18.94	\$ 18.37	60 ft.
Cerritos Yacht Anchorage	L/LB Harbor	0-0-0-X	\$ 8.00	\$ 9.00	\$ 9.00		90
			\$ 8.00	\$ 9.00	\$ 9.00		
Peninsula Yacht Anchorage	Channel Island Harbor	2-4-2-0	\$ 17.75	\$ 14.23	\$ 20.03	\$ 14.42	50 ft. 360
			\$ 12.32	\$ 20.60	\$ 14.72	\$ 17.89	90 ft.
Average							
			\$ 12.87	\$ 13.75	\$ 16.56	\$ 19.66	
			\$ 13.37	\$ 15.74	\$ 18.48	\$ 22.50	10020

Data as per February 2007
Anchorage list prepared from Policy Statement #27 - Schedule 1

Survey of Slip Rental Rates in Marina del Rey - September 2007

SLIP SIZE

Parcel #	ANCHORAGE	25'		30'		35'		40'		45'		50'	
		Rent	\$/Foot	Rent	\$/Foot	Rent	\$/Foot	Rent	\$/Foot	Rent	\$/Foot	Rent	\$/Foot
15	Bar Harbor Marina	\$294	\$11.75	\$383	\$12.75	\$516	\$14.75	\$660	\$16.50	\$878	\$19.50	\$938	\$18.75
8	Bay Club Apts Marina			\$380	\$12.65	\$495	\$14.14	\$638	\$15.95	\$765	\$16.99		
132	California Yacht Club	\$286	\$11.45	\$419	\$13.95	\$604	\$17.25	\$798	\$19.95	\$898	\$19.95	\$1,083	\$21.65
41	Catalina Yacht	\$200	\$8.00	\$300	\$10.00	\$368	\$10.50						
30	Del Rey Club	(See Note 1)		\$225	\$7.51	\$322	\$9.21	\$382	\$9.55	\$444	\$9.87	\$509	\$10.18
18	Dolphin Marina	\$319	\$12.76	\$425	\$14.17	\$526	\$15.03	\$690	\$17.25	\$833	\$18.51	\$1,080	\$21.60
21	Holiday Harbor Marina	\$319	\$12.76	\$425	\$14.17	\$526	\$15.03	\$690	\$17.25	\$833	\$18.51	\$1,080	\$21.60
1251	Marina City Slips	\$355	\$14.20	\$435	\$14.50	\$555	\$15.86	\$715	\$17.88	\$845	\$18.78		
42/43	Marina del Rey Hotel	\$341	\$13.64	\$445	\$14.83	\$592	\$16.91	\$770	\$19.25	\$905	\$20.11	\$1,177	\$23.54
111	Marina Harbor P111	\$287.50	\$11.50	\$450	\$15.00	\$525	\$15.00	\$800	\$20.00	\$900	\$20.00	\$1,150	\$23.00
112	Marina Harbor P112	\$287.50	\$11.50	\$450	\$15.00	\$525	\$15.00	\$800	\$20.00	\$900	\$20.00	\$1,150	\$23.00
28	Mariners Bay			\$425	\$14.17	\$575	\$16.43	\$750	\$18.75			\$1,000	\$20.00
10	Neptune Marina	\$262.50	\$10.50	\$345	\$11.50			\$500	\$12.50				
20	Panay Way Marina	\$319	\$12.76	\$425	\$14.17	\$526	\$15.03	\$690	\$17.25	\$833	\$18.51	\$1,080	\$21.60
44	Pier 44	\$425	\$17.00	\$540	\$18.00	\$665	\$19.00			\$900	\$20.00		
7	Tahiti Marina	\$310	\$12.40	\$400	\$13.33			\$720	\$18.00				
53	The Boat Yard	\$313	\$12.50	\$450	\$15.00	\$612.50	\$17.50	\$760	\$19.00			\$1,150	\$23.00
13	Villa Del Mar Marina			\$468	\$15.60	\$613	\$17.50	\$700	\$17.50	\$907	\$20.15	\$1,008	\$20.15
47	Windjammers Yacht	\$281	\$11.24	\$329	\$10.97	\$437	\$12.49	\$578	\$14.45				
54	Windward Yacht Club	\$295	\$11.80	\$425	\$14.16	\$496	\$14.16	\$660	\$16.51	\$743	\$16.51		
	HIGH	\$425.00	\$17.00	\$540.00	\$18.00	\$665.00	\$19.00	\$800.00	\$20.00	\$906.75	\$20.15	\$1,177.00	\$23.54
	AVERAGE	\$305.88	\$12.24	\$407.13	\$13.57	\$526.53	\$15.04	\$683.41	\$17.09	\$827.33	\$18.39	\$1,033.63	\$20.67
	LOW	\$200.00	\$8.00	\$225.30	\$7.51	\$322.35	\$9.21	\$382.00	\$9.55	\$444.15	\$9.87	\$509.00	\$10.18

Note 1

Parcel 30, Del Rey Yacht Club charges its members a below market rate, however, County rent is based on a higher imputed gross receipt designed to replicate the market rate.

Survey of Slip Rental Rates of Other Harbors in Southern California - September 2007

SLIP SIZE

#	ANCHORAGE	City	25'		30'		35'		40'		45'		50'	
			Rent	\$/Foot	Rent	\$/Foot	Rent	\$/Foot	Rent	\$/Foot	Rent	\$/Foot	Rent	\$/Foot
1	Anacapa Isle Marina	Channel Islands	\$337.00	\$13.48	\$439.00	\$14.63	\$564.00	\$16.11	\$696.00	\$17.40	\$818.00	\$18.18	\$943.00	\$18.86
2	Harbor Marina	Channel Islands			\$381.00	\$12.70			\$609.00	\$15.23				
3	Dana West Marina	Dana Point	\$336.00	\$13.44	\$487.00	\$16.23	\$602.00	\$17.20	\$704.00	\$17.60	\$807.00	\$17.93	\$929.00	\$18.58
4	Dana Point Marina	Dana Point	\$336.00	\$13.44	\$487.00	\$16.23	\$602.00	\$17.20	\$704.00	\$17.60	\$807.00	\$17.93	\$929.00	\$18.58
5	Peter's Landing	Huntington Beach	\$312.50	\$12.50	\$375.00	\$12.50	\$437.50	\$12.50	\$620.00	\$15.50	\$697.50	\$15.50	\$925.00	\$18.50
6	Sunset Aquatic Marina	Huntington Beach	\$364.00	\$14.56	\$462.00	\$15.40	\$608.00	\$17.37	\$688.00	\$17.20	\$864.00	\$19.20	\$954.00	\$19.08
7	Cerritos Yacht Anchorage	LA/LB Harbor	\$250.00	\$10.00	\$300.00	\$10.00	\$350.00	\$10.00	\$400.00	\$10.00	\$450.00	\$10.00	\$500.00	\$10.00
8	Holiday Harbor-Wilmington	LA/LB Harbor	\$212.50	\$8.50	\$277.50	\$9.25	\$367.50	\$10.50	\$440.00	\$11.00				
9	Pacific Yacht Landing	LA/LB Harbor	\$200.00	\$8.00	\$285.00	\$9.50	\$332.50	\$9.50	\$400.00	\$10.00	\$450.00	\$10.00	\$575.00	\$11.50
10	Island Yacht Anchorage	LA/LB Harbor	\$300.00	\$12.00			\$420.00	\$12.00	\$480.00	\$12.00	\$540.00	\$12.00	\$600.00	\$12.00
11	San Pedro Marina	LA/LB Harbor	\$250.00	\$10.00	\$300.00	\$10.00	\$350.00	\$10.00	\$400.00	\$10.00	\$450.00	\$10.00	\$500.00	\$10.00
12	Alamitos Bay Marina	Long Beach	\$248.75	\$9.95	\$328.50	\$10.95	\$423.50	\$12.10	\$484.00	\$12.10	\$598.50	\$13.30	\$725.00	\$14.50
13	Lido Yacht Anchorage	Newport Beach	\$443.75	\$17.75	\$592.50	\$19.75	\$796.25	\$22.75	\$1,010.00	\$25.25			\$1,325.00	\$26.50
14	Balboa Marina	Newport Beach	\$527.00	\$21.08	\$730.00	\$24.33	\$858.00	\$24.51	\$1,184.00	\$29.60	\$1,378.00	\$30.62	\$1,657.00	\$33.14
15	Bayside Marina	Newport Beach			\$922.00	\$30.73	\$1,075.00	\$30.71			\$1,741.00	\$38.69		
16	Villa Cove Marina	Newport Beach			\$789.00	\$26.30					\$1,547.00	\$34.38		
17	Channel Islands Harbor	Oxnard	\$301.00	\$12.04	\$381.00	\$12.70	\$493.00	\$14.09	\$609.00	\$15.23	\$709.00	\$15.76	\$854.00	\$17.08
18	Penninsula Yacht Marina	Oxnard	\$280.00	\$11.20	\$365.00	\$12.17	\$468.00	\$13.37					\$783.00	\$15.66
19	Bahia Marina	Oxnard					\$530.00	\$15.14	\$654.00	\$16.35	\$769.00	\$17.09	\$886.00	\$17.72
20	Redondo Beach Marina	Redondo Beach			\$345.00	\$11.50								
21	Port Royal Marina	Redondo Beach	\$291.25	\$11.65	\$403.50	\$13.45	\$542.50	\$15.50	\$640.00	\$16.00	\$814.50	\$18.10	\$905.00	\$18.10
22	Swales Anchorage	Newport Bay			\$510.00	\$17.00			\$720.00	\$18.00	\$900.00	\$20.00		
23	King Harbor Marina	King Harbor	\$264.00	\$10.56	\$338.00	\$11.27			\$582.00	\$14.55	\$752.00	\$16.71		
24	Bayside Village Marina	Newport Beach	\$506.25	\$20.25	\$740.00	\$24.67	\$857.50	\$24.50	\$1,255.00	\$31.38	\$1,406.25	\$31.25	\$1,595.00	\$31.90
25	Cabrillo Marina	San Pedro	\$271.25	\$10.85	\$356.40	\$11.88	\$497.00	\$14.20	\$568.00	\$14.20	\$720.45	\$16.01	\$800.50	\$16.01
26	Ventura Isle Marina	Ventura	\$286.00	\$11.44	\$373.00	\$12.43	\$480.00	\$13.71	\$593.00	\$14.83	\$695.00	\$15.44	\$801.00	\$16.02
27	Ventura West Marina	Ventura			\$354.00	\$11.80	\$427.00	\$12.20	\$504.00	\$12.60	\$585.00	\$13.00	\$670.00	\$13.40
HIGH AVERAGE LOW			\$527.00	\$21.08	\$922.00	\$30.73	\$1,075.00	\$30.71	\$1,255.00	\$31.38	\$1,741.00	\$38.69	\$1,657.00	\$33.14
			\$315.86	\$12.63	\$452.86	\$15.10	\$549.15	\$15.69	\$649.74	\$16.24	\$840.87	\$18.69	\$892.83	\$17.86
			\$200.00	\$8.00	\$277.50	\$9.25	\$332.50	\$9.50	\$400.00	\$10.00	\$450.00	\$10.00	\$500.00	\$10.00



"To enrich lives through effective and caring service"




Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

October 4, 2007

To: Small Craft Harbor Commission

From: Stan Wisniewski, Director 

Subject: **ITEM 4b – PROPOSED LETTER TO BOARD OF SUPERVISORS TO EXPRESS COMMISSIONER CONCERN REGARDING BOAT SLIP RENTAL RATE INCREASES**

Item 4b on your agenda is responsive to your Commission's request that the Department draft a letter to the Board of Supervisors that expresses your and boater concerns regarding boat slip rental rate increases and leasehold premises maintenance in Marina del Rey.

Attached for your consideration is a memorandum detailing concerns expressed by you and boaters at the August 2007 meeting. Upon your Commission's approval, the Department will formalize the memorandum for the Chairman's signature and transmittal to the Board of Supervisors.

Please let me know if you have any questions or require additional information.

SW:KS:SK:pw

Attachment (2)

October 11, 2007

TO: Each Supervisor

FROM: Harley Searcy, Chairman
Small Craft Harbor Commission
Marina del Rey

**SUBJECT: CONCERNS OVER BOAT SLIP RATE INCREASES AND
MAINTENANCE OF BOATER-RELATED FACILITIES AT PARCELS 28
(MARINERS BAY) AND 8 (BAY CLUB) - MARINA DEL REY**

This memorandum is to inform your Board that many boat slip tenants in Marina del Rey have recently voiced their concerns about boat slip rental rate increases and the conditions of some boater-related facilities on private leaseholds. Specifically, Mariners Bay's (Parcel 28) recent implementation of up to 50% increases in its boat slip rates has upset many boaters and served as a focal point for organized protests at recent Small Craft Harbor Commission (SCHC) meetings.

During the SCHC meeting in August 2007, Mr. John Nahhas, a boater personally affected by the large slip rate increase at Mariner's Bay, was granted 30 minutes for an organized presentation. He commented that Mariners Bay has consistently raised slip rates three to five percent each year since 2002, and that the large 50% increase this year was not justified. Mr. Nahhas disagreed that the lessees should be allowed to rent their facilities at fair market value, saying fair market value is an "oxymoron", as there is no supply to meet demand, therefore there is no market. Mr. Nahhas then had a letter from a Michigan State University professor, Ed Mahoney, Co-Director of the Recreational Marine Research Center, read into the record which stated his opinion that there is no way to calculate a fair market price when it comes to marina slip pricing.

Mr. Nahhas also provided an audio/visual presentation featuring several other boaters' comments and concerns about slip rate increases and inadequate maintenance of boater-related facilities. In addition to Mr. Nahhas' presentation, several other slip tenants complained about the rate increases and poor maintenance of facilities they have experienced at the Mariner's Bay and Bay Club leaseholds.

Although this Commission is sympathetic to these concerns, the Department of Beaches and Harbors has conducted a survey of slip rental rates comparing the prevailing rates in Marina del Rey with other marinas located within 60 miles of Marina del Rey. These comparisons did not find any incidences of price gouging in Marina del Rey. Specifically, as the September 2007 slip survey information shows, the average

Each Supervisor
October 11, 2007
Page 2

slip rates charged for 25', 30', 35' and 45' boat slips in MDR are below the average rates charged at other Southern California harbors for these slip sizes, and although MDR slips in the 40' and 50' categories have a higher average rate than those in other harbors, the Marina del Rey rates for these sizes are well within the range of rates in other Southern California marinas (see Attachment 1). Nonetheless, the perception persists that Marina lessees are engaging in unfair pricing of slips because there is no competition. It is worth noting, as indicated on the attached August 2007 slip vacancy report, that there are Marina del Rey slips available in the 18'-25' and 26'-35' category but few vacancies exist for boats 26' and larger. It is anticipated that the 216 new slips coming on the market later this year at Parcel 12 (Esprit) should help improve slip supplies, in the small slip category where complaint of unfair pricing is the most prevalent. Additionally, the Parcel 12 docks will become available for rental by the end of the year to increase slip supplies and competition.

With respect to the condition of some boater-related facilities, the Commission is ensuring that the Department of Beaches and Harbors reviews all maintenance complaints. And in this regard, the Department reports that significant new staffing resources have been dedicated to enforcing leasehold premises maintenance since the beginning of 2007 and while conditions still need to improve, lessees have responded positively with improved maintenance, which the Department expects will continue. Additionally, the Department reports that newly negotiated leases contain a provision allowing the County to assess liquidated damages of \$100 per item per day for deficiencies that are not cured within the prescribed time for repair, further strengthening the County's ability to ensure that the leasehold improvements will be maintained in good condition.

This Commission will continue to monitor the aforementioned issues and further apprise your Board of any major development that may warrant a change in policy to ensure that the Marina continues to serve the interest of all citizens of the County of Los Angeles.

SW:KS:SK:pw

Attachment

C: Each Chief Deputy
County Counsel
Chief Executive Office

Survey of Slip Rental Rates in Marina del Rey - September 2007

SLIP SIZE

Parcel #	ANCHORAGE	25'		30'		35'		40'		45'		50'	
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18	Dolphin Marina	\$319	\$12.76	\$425	\$14.17	\$526	\$15.03	\$690	\$17.25	\$833	\$18.51	\$1,080	\$21.60
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	AVERAGE	\$305.88	\$12.24	\$407.13	\$13.57	\$526.53	\$15.04	\$683.41	\$17.09	\$827.33	\$18.39	\$1,033.63	\$20.67
	LOW	\$200.00	\$8.00	\$225.30	\$7.51	\$322.35	\$9.21	\$382.00	\$9.55	\$444.15	\$9.87	\$509.00	\$10.18

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10	Island Yacht Anchorage	LA/LB Harbor	\$300.00	\$12.00			\$420.00	\$12.00	\$480.00	\$12.00	\$540.00	\$12.00	\$600.00	\$12.00
11	San Pedro Marina	LA/LB Harbor	\$250.00	\$10.00	\$300.00	\$10.00	\$350.00	\$10.00	\$400.00	\$10.00	\$450.00	\$10.00	\$500.00	\$10.00
12	Alamitos Bay Marina	Long Beach	\$248.75	\$9.95	\$328.50	\$10.95	\$423.50	\$12.10	\$484.00	\$12.10	\$598.50	\$13.30	\$725.00	\$14.50
13	Lido Yacht Anchorage	Newport Beach	\$443.75	\$17.75	\$592.50	\$19.75	\$796.25	\$22.75	\$1,010.00	\$25.25			\$1,325.00	\$26.50
14	Balboa Marina	Newport Beach	\$527.00	\$21.08	\$730.00	\$24.33	\$858.00	\$24.51	\$1,184.00	\$29.60	\$1,378.00	\$30.62	\$1,657.00	\$33.14
15	Bayside Marina	Newport Beach			\$922.00	\$30.73	\$1,075.00	\$30.71			\$1,741.00	\$38.69		
16	Villa Cove Marina	Newport Beach			\$789.00	\$26.30					\$1,547.00	\$34.38		
17	Channel Islands Harbor	Oxnard	\$301.00	\$12.04	\$381.00	\$12.70	\$493.00	\$14.09	\$609.00	\$15.23	\$709.00	\$15.76	\$854.00	\$17.08
18	Penninsula Yacht Marina	Oxnard	\$280.00	\$11.20	\$365.00	\$12.17	\$468.00	\$13.37					\$783.00	\$15.66
19	Bahia Marina	Oxnard					\$530.00	\$15.14	\$654.00	\$16.35	\$769.00	\$17.09	\$886.00	\$17.72
20	Redondo Beach Marina	Redondo Beach			\$345.00	\$11.50								
21	Port Royal Marina	Redondo Beach	\$291.25	\$11.65	\$403.50	\$13.45	\$542.50	\$15.50	\$640.00	\$16.00	\$814.50	\$18.10	\$905.00	\$18.10
22	Swales Anchorage	Newport Bay			\$510.00	\$17.00			\$720.00	\$18.00	\$900.00	\$20.00		
23	King Harbor Marina	King Harbor	\$264.00	\$10.56	\$338.00	\$11.27			\$582.00	\$14.55	\$752.00	\$16.71		
24	Bayside Village Marina	Newport Beach	\$506.25	\$20.25	\$740.00	\$24.67	\$857.50	\$24.50	\$1,255.00	\$31.38	\$1,406.25	\$31.25	\$1,595.00	\$31.90
25	Cabrillo Marina	San Pedro	\$271.25	\$10.85	\$356.40	\$11.88	\$497.00	\$14.20	\$568.00	\$14.20	\$720.45	\$16.01	\$800.50	\$16.01
26	Ventura Isle Marina	Ventura	\$286.00	\$11.44	\$373.00	\$12.43	\$480.00	\$13.71	\$593.00	\$14.83	\$695.00	\$15.44	\$801.00	\$16.02
27	Ventura West Marina	Ventura			\$354.00	\$11.80	\$427.00	\$12.20	\$504.00	\$12.60	\$585.00	\$13.00	\$670.00	\$13.40
HIGH AVERAGE LOW			\$527.00	\$21.08	\$922.00	\$30.73	\$1,075.00	\$30.71	\$1,255.00	\$31.38	\$1,741.00	\$38.69	\$1,657.00	\$33.14
			\$315.86	\$12.63	\$452.86	\$15.10	\$549.15	\$15.69	\$649.74	\$16.24	\$840.87	\$18.69	\$892.83	\$17.86
			\$200.00	\$8.00	\$277.50	\$9.25	\$332.50	\$9.50	\$400.00	\$10.00	\$450.00	\$10.00	\$500.00	\$10.00

**Department of Beaches and Harbors
Slip Vacancy Report
August 2007**

October 4, 2007

Page 1

PWONG

Parcel Code	Parcel Name	# of Slips	18-25'	26-35'	36-50'	Over 50'	Total Vacant	% Vacant
07	Tahiti Marina	214	0	0	0	0	0	0
08	The Bay Club Apts & Marin	231	0	0	0	0	0	0
10	Neptune Marina	184	0	1	0	0	1	1
13	Villa del Mar Marina	186	0	0	0	0	0	0
15	Bar Harbor Marina	215	33	23	0	0	56	26
18	Dolphin Marina Ltd.	424	3	1	0	0	4	1
20	Panay Way Marina	145	0	1	0	0	1	1
21	Holiday Harbor Marina	183	15	2	0	0	17	9
28	Mariners Bay	369	0	5	2	0	7	2
30	Del Rey Yacht Club	287	0	0	0	0	0	0
41	Catalina Yacht Anchorage	148	0	0	0	0	0	0
42	Marina del Rey Hotel	349	0	0	0	0	0	0
44	Pier 44	397	32	3	0	0	35	9
47	Santa Monica Yacht Club	173	0	2	0	0	2	1
53	The boatyard.com	103	0	0	0	0	0	0
54	Windward Yacht Center	53	0	0	0	0	0	0
56	Fisherman's Village	9	0	0	0	0	0	0
77	77 Del Rey	14	7	0	0	0	7	50
111	Marina Harbor Apts. & Anch	140	1	0	0	0	1	1
112	Marina Harbor Apts. & Anch	315	9	0	0	0	9	3
132	California Yacht Club	253	0	0	0	0	0	0
1251	Marina City Club	316	3	3	0	0	6	2
New Total for	August 2007	4,708	103	43	3	0	149	3
Old Total for	July 2007	4,708	110	51	8	0	169	4
Difference			-7	-8	-5	0	-20	



To enrich lives through effective and caring service



October 4, 2007

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director *SWisniewski*

SUBJECT: **ITEM 4c – COMMISSIONER LANDINI'S REQUEST TO STUDY
POTENTIAL COUNTY TAKEOVER OF PRIVATE BOAT SLIPS**

During your meeting on August 8, 2007, your Commission instructed the Department to research the feasibility of Commissioner Landini's proposal to: 1) exclude boat slips from all future leases of County property within Marina del Rey; 2) make the Department of Beaches and Harbors (DBH) the operator in charge of renting, maintaining, and operating boat slips as current leases with boat slips expire; and 3) establish the Small Craft Harbor Commission as the oversight Commission approving rental rates for slips directly under County control.

The motivation for Commission Landini's proposal appears to be directed at achieving two goals: 1) better quality boat slips and 2) lower or more reasonable boat slip rates. As for the first goal, all extended or new leases ensure the construction of new boat slips generally twice during the term of the lease and such leases also incorporate a liquidated damage provision that assesses lessees \$100/day/maintenance deficiency if not corrected in a timely manner. These two lease features ensure the provision of high quality boat slips during the entire lease term. As for the second goal, it is not necessarily true that government operation of boat slips would result in lower or more reasonable slip rates. In fact, for many of the reasons stated in Commission Lesser's letter response on this issue (on your agenda as item 5a), government operation of boat slips could actually increase costs and put an upward pressure on slip rates. And, based on the information in our September 2007 report (on your agenda for discussion as item 4a), boat slip rental rates in Marina del Rey are within the range of market rates in Southern California, so establishing the Small Craft Harbor Commission as a boat slip rate setting body seems unnecessary since market forces are ensuring that slip tenants are paying market rental rates.

While there is considerable logic for maintaining boat slips as an integral part of new or extended leases as explained above, the Department has embarked upon the acquisition of recreational boat slips from Marina lessees. Specifically, the County will gain control over the 173 boat slips at Parcel 47 with the late

Small Craft Harbor Commission
October 4, 2007
Page 2

March 2008 termination of the County's lease with SMYC Marina; the County has exercised its option to purchase Parcel 77 land and water and a portion of the Pier 44 land and will be closing on these acquisitions in late December 2007; and the County has an option that it intends to exercise to purchase a portion of the Parcel 44 water area where there are currently 95 slips. Should County operation of these anchorage facilities prove more economically successful to the County than having slips included in future leases, we will have the opportunity to acquire additional boat slips for County operation when the leases expire for a number of leaseholds in the 2020's.

We look forward to discussing the report at your meeting.

SW:KS:SHK
PW:cb



To enrich lives through effective and caring service



October 4, 2007

Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

TO: Small Craft Harbor Commission

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Small Craft Harbor Commission
October 4, 2007
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We look forward to discussing the report at your meeting.

SW:KS:SHK
PW:cb



"To enrich lives through effective and caring service"




Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

October 4, 2007

To: Small Craft Harbor Commission

From: Stan Wisniewski, Director 

Subject: **ITEM 5a – VICE CHAIRMAN LESSER'S RESPONSE TO SLIP RATE CONCERNS AND COMMISSIONER LANDINI'S SUGGESTION THAT THE COUNTY TAKE OVER OPERATION AND MAINTENANCE OF PRIVATE DOCKS**

Item 5a on your agenda is Vice Chairman Lesser's correspondence regarding Marina del Rey's slip rates as compared to rates charged at other marinas within 60 miles of Marina del Rey, and his view regarding the suggestion that the County no longer renew private anchorage leases when they come to term and, instead, take over operation and maintenance of these private docks.

Vice Chairman Lesser requested his correspondence be placed on the agenda for discussion. His letter is attached.

SW:ks
Attachment

TO: SMALL CRAFT HARBOR COMMISSIONERS
FROM: RUSS LESSER

Dear fellow commissioners,

Since I will not be able to attend the September 12th meeting, I thought I would give you my thoughts on the subject that was discussed at length today, and will continue to be discussed next month.

SLIP FEES

For purposes of this discussion, I am assuming that the chart that was passed out showing the slip rates of the marinas within 60 miles of MDR, from Ventura to Dana Point, is correct. I have not independently verified those numbers, but have no reason to believe the county is giving us incorrect data.

Based on that chart, the slip fees charged on the average in MDR are very comparable to those charged in the other marinas in Southern California. Therefore what we have here is a philosophical disagreement.

I believe that if the slip fees in MDR were higher than what it would cost to have a boat in other marinas, then that would be price gouging and the county should step in and require the fees to be reduced.

I also believe that if the slip fees in MDR are lower than it would cost to have a boat in other marinas, then the taxpayers of all of Los Angeles County are subsidizing the boaters in MDR. This subsidy would result in less money going to the county general fund, which would result in less available funds for health care, public safety, and other county services.

Some people disagree with my position. They believe that since the land is owned by the county, and they have been here a long time, they should pay less than they would pay for a comparable slip in another marina. While I can understand why they think that, I believe they are wrong. I also believe almost every resident in Los Angeles county who does not live in MDR would feel the same way I do if asked. And, it is the millions of LA County residents who own the marina, not just the ones who live or have a boat there.

If a ballot measure was put up for a vote by all the residents of LA County that read something like:

Are you in favor of having boaters in Marina Del Rey, a marina owned by Los Angeles County, pay less for their boat slip than they would have to pay in other marinas that are not owned by the county, recognizing that that would result in less money to the county which would result in less funds for health care, public safety and other county services?: Yes or No. My guess is that it would have about a 98% No vote.

MAINTENANCE

The county should insist that with all new leases that there are strong "teeth" in the lease to insure that the leased property will be maintained in a satisfactory way. Some of the examples we were shown at the last meeting were disgusting and totally unacceptable.

On the older leases, I believe the county should take stronger and sooner action to put the lessee in default if the property is not maintained in a satisfactory way.

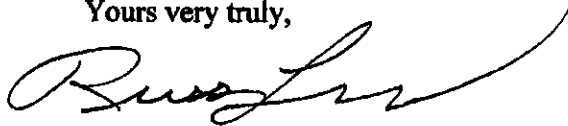
SUMMARY

Most people I meet and talk to believe MDR is a beautiful facility. I have talked to boaters who have been in a lot of marinas who feel that MDR is definitely better than a lot of them. It is clear that some of our docks and slips are in bad shape and are nearing the end of their useful life. No lessee in their right mind is going to pour a lot of money in a project unless they get an extension of the lease. However, as I stated under maintenance, that doesn't mean they should not do the proper repairs to keep it in a reasonable condition.

I know that much of what I have stated in this letter will not be popular with some people. It would be much easier just to agree with all the people who feel they are being overcharged for their slips, explain there is nothing we can do, and let the Board of Supervisors take the heat. However, I feel it is my responsibility as a Small Craft Harbor Commissioner to be honest with the public and myself and also answer not only to the residents and boat owners of MDR, but to all the residents of Los Angeles County.

I also resent the implication that was stated at the last meeting, that because of my beliefs, that somehow I must have some financial interest in the marina. I have no such conflict. I also am tired of hearing the ongoing statements criticizing Supervisor Knabe, the other supervisors, and the staff of the Department of Beaches and Harbors. I have known many of them for years, and they are honorable people who are doing their best for the residents of the county.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Russ Lesser", written in dark ink.

Russ Lesser



To enrich lives through effective and caring service

October 4, 2007



Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

TO: Small Craft Harbor Commission

FROM: Stan Wisniewski, Director *Stan Wisniewski*

SUBJECT: **ITEM 6a - ONGOING ACTIVITIES REPORT**

**TRAFFIC MITIGATION MEASURES WITHIN THE MARINA DEL REY AREA –
QUARTERLY REPORT**

Barry Kurtz, our Transportation Engineer Consultant, provided the attached quarterly report on traffic mitigation measures within the Marina del Rey area. The report is comprised of lists and color-coded maps of transportation improvements that are completed, proposed and under construction. We're providing the report for your review this month and will make Mr. Kurtz available at your next Commission meeting should you have any questions about the report.

BOARD ACTIONS ON ITEMS RELATING TO MARINA DEL REY

No new action items to report at this time.

LOCAL COASTAL PROGRAM PERIODIC REVIEW – UPDATE

Coastal staff's revised Marina Local Coastal Program (LCP) periodic review report was not calendared for the Coastal Commission's October 2007 meeting in San Pedro. Our understanding is that Coastal staff wanted adequate time to finalize its report before the hearing was calendared. We have been informed it is anticipated the hearing will be scheduled for the Commission's January 2008 meeting to be held in either Los Angeles or Orange Counties.

REGIONAL PLANNING COMMISSION'S CALENDAR

No items to report at this time.

DESIGN CONTROL BOARD MINUTES

The minutes from the Design Control Board meeting of July 19, 2007 are attached. The August 30, 2007 and September 20, 2007 minutes have not been finalized.

SW:ks
Attachment

**COMPLETED TRANSPORTATION IMPROVEMENTS
IN THE MARINA DEL REY AREA
September 2007**

1. Automated Traffic Surveillance And Control System (ATSAC), has been installed at all of the signalized intersections along Admiralty Way and along Via Marina to improve traffic signal synchronization.
2. Admiralty Way at the SBBT Crossing: Public Works installed a marked pedestrian crosswalk with pedestrian signals to the SBBT crossing of Admiralty Way. This measure improved pedestrian access between Admiralty Park and the Library (Completed 9/05).
3. Admiralty Way/Mindanao Way: Public Works installed a marked crosswalk with pedestrian signals to the south leg of Admiralty Way to allow pedestrians to cross all four legs of the intersection. Public Works added a left-turn arrow for northbound traffic turning westbound into Mindanao Way (Completed 8/05).
4. Admiralty Way sidewalk improvements and increased left-turn storage on Admiralty Way for the Waterside Shopping Center on Parcel 50 (Completed 9/05).
5. Via Marina: Public Works installed new speed/curve warning signs on Via Marina. Public Works extended the existing raised center median from 216' to 325' south of Old Harbor Lane. These measures have enhanced speed control and safety. (Completed 10/05).
6. Fiji Way: An Engineering and Traffic (E&T) survey has been conducted on Fiji Way as requested by the West LA CHP. The current 35 MPH posted speed limit will remain the same. A radar enforcement sign has been installed on Fiji Way.
7. Water Shuttle and demonstration Beach Shuttle service: Operates during the Summers.
8. Lincoln Boulevard/Culver Boulevard interchange improvement: Southeast ramp was modified to allow northbound traffic from Lincoln Boulevard to access Culver Boulevard. (Completed summer of 2005).
9. Bluff Creek Road (Teal St) from Lincoln Boulevard to Centinela Avenue was constructed by Playa Vista. The connection at Lincoln Boulevard is expected to be completed in 2008.
10. Lincoln Boulevard transit system: Playa Vista funded 5 buses for Santa Monica Big Blue Bus; Installed Bus Priority System for Lincoln Boulevard; and installed Internal Shuttle System. (Completed 2005).
11. Centinela Avenue widening: Two lanes in each direction and left-turn lanes.
12. Vista del Mar widening at Culver Boulevard to facilitate left turns Culver Boulevard to Vista del Mar.
13. SR 90/Culver Boulevard Interchange: Grade separation over SR 90 and interchange construction. (Caltrans Winter/Spring 2007). Plant establishment will take another year.
14. SR 90/Centinela Avenue Interchange: Widen Centinela ramps, modify signals at the interchange, and construction of soundwalls along the north side of the Marina Freeway between Centinela Avenue and Ballona Creek.
15. San Diego Freeway HOV Lanes from SR 90 to SR 105: Construction of HOV lanes northbound and southbound on I-104. Soundwalls will be constructed for noise mitigation. (Caltrans Winter 2006).

**COMPLETED TRANSPORTATION IMPROVEMENTS
IN THE MARINA DEL REY AREA (Continue)
September 2007**

16. Lincoln Boulevard/Mindanao Way Intersection Improvement: Add a separate northbound right-turn lane on Lincoln Boulevard at Mindanao Way.
17. SR 90/Slauson Avenue Intersection Improvement: Add a third left-turn lane from westbound Slauson Avenue to SR 90. (PV 2007).

**TRANSPORTATION IMPROVEMENTS UNDER CONSTRUCTION
IN THE MARINA DEL REY AREA
September 2007**

1. Lincoln Boulevard from Bali Way to LMU Drive: At the Culver Boulevard bridge, Lincoln Boulevard will be 2 lanes southbound and 3 lanes northbound. South of Jefferson, Lincoln Boulevard will be four lanes in each direction, except south of Bluff Creek Drive, Lincoln Boulevard will be reduced to 3 lanes in the southbound direction from south of Bluff Creek Dr. and it will remain 3 lanes through the intersection of LMU Dr. (Caltrans mid 2008).
2. Lincoln Boulevard from La Tijera to LMU Drive: Add a 4th northbound lane. (Caltrans Mid 2008).
3. Lincoln Boulevard/Bluff Creek intersection: Construct the intersection with signal concurrent with Caltrans work on Lincoln Boulevard. (LA City Mid 2008).
4. Lincoln Boulevard/Culver Boulevard loop ramp: Turn on the traffic signal at Lincoln Boulevard and the Culver Boulevard loop ramp. The signal will allow traffic from Culver Boulevard to turn north onto Lincoln Boulevard under traffic signal control. Construct the signal concurrent with Caltrans work on Lincoln Boulevard. (Caltrans mid 2008)
5. 405 Freeway: High Occupancy Vehicle (HOV) lanes from I-10 to SR90: Construction of 3.6 miles of HOV lanes northbound and southbound on I-405 will also include soundwalls for noise mitigation. (Caltrans 2009).

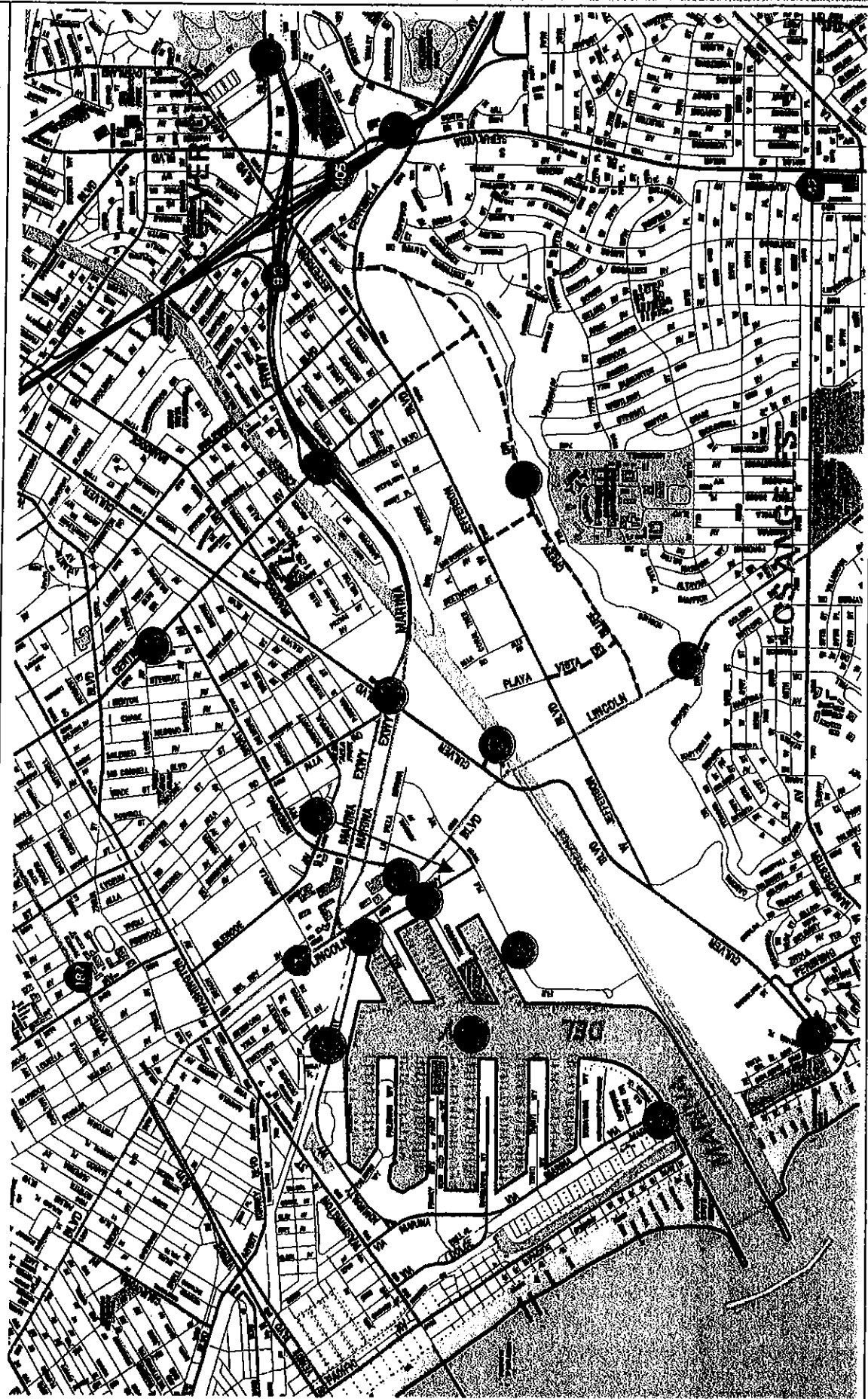
**PROPOSED TRANSPORTATION IMPROVEMENTS
IN THE MARINA DEL REY AREA
September 2007**

1. Marina Expressway (SR-90) Connector Road to Admiralty Way Project: EIR/EIS to consider the SR 90 Connector Road to Admiralty Way at grade. (County DEIR/EIS Feb 2008, Final EIR/EIS Fall 2008).
2. Admiralty Way Improvement Project: EIR/EIS to consider either 5-lane alternative within existing right of way or 5/6-lane alternative and the intersection widening alternatives. (County DEIR/EIS Feb 2008, Final EIR/EIS Fall 2008).
3. Admiralty Way/Via Marina Intersection Realignment Project: As part of the Admiralty Way Improvement Project, consider the realignment of Admiralty Way to form a continuous loop road with Via Marina. (County DEIR/EIS Feb 2008, Final EIR/EIS Fall 2008).
4. Admiralty Way/Palawan Way Intersection Improvements: Restripe northbound Palawan Way to provide a separate right turn lane to Admiralty Way and restripe southbound on Palawan Way to provide into a second left-turn lane. (County 2008).
5. Palawan Way/Washington St Intersection Improvement: Reconstruct Palawan Way at Washington St to allow full access. Install a traffic signal at the intersection providing dual left-turn lanes instead of the existing right-turn only lane. (County 2008).
6. Fiji Way Bike Lane Project: Widen the south side of Fiji Way by two feet to allow the installation of bike lanes along both sides of Fiji Way. This project was submitted to MTA's 2007 Call for Projects, and MTA staff recommended funding it. This project would not preclude a future off-road path through Area A. (County 2011).
7. Centinela Avenue Widening from Ballona Creek to Culver Boulevard: Add third northbound lane. (PV II 2010).
8. Jefferson Boulevard Widening from Beethoven St/Centinela Avenue: Add fourth eastbound travel lane. (PV II 2007).
9. Sepulveda Boulevard Widening from Playa/Jefferson to Green Valley Circle: Add a third southbound lane. (PV 2007).
10. Expand Playa Vista's Internal Shuttle System on a Demand /Responsive basis to Marina del Rey, The Bridge, Fox Hills LMU, and Playa del Rey. (PV II 2010). The Marina Del Rey Summer Shuttle Program in partnership with Playa Vista was approved for expansion in 2007.
11. Lincoln Corridor Task Force recommended in March 2004 an exclusive bus lane along Lincoln Boulevard. The bus lane was approved by the City of Santa Monica and is under study by the City of Los Angeles.
12. The Department of Public Works recommends the installation of a traffic signal at the Marina City Club (MCC) main driveway and Admiralty Way (County June 2009). Public Works also recommends modifying the traffic signal at the fire station to provide pedestrian signals and crosswalk across Admiralty Way (County Oct 2008).



FEET	2400
2400	0.408

NEW ROADS



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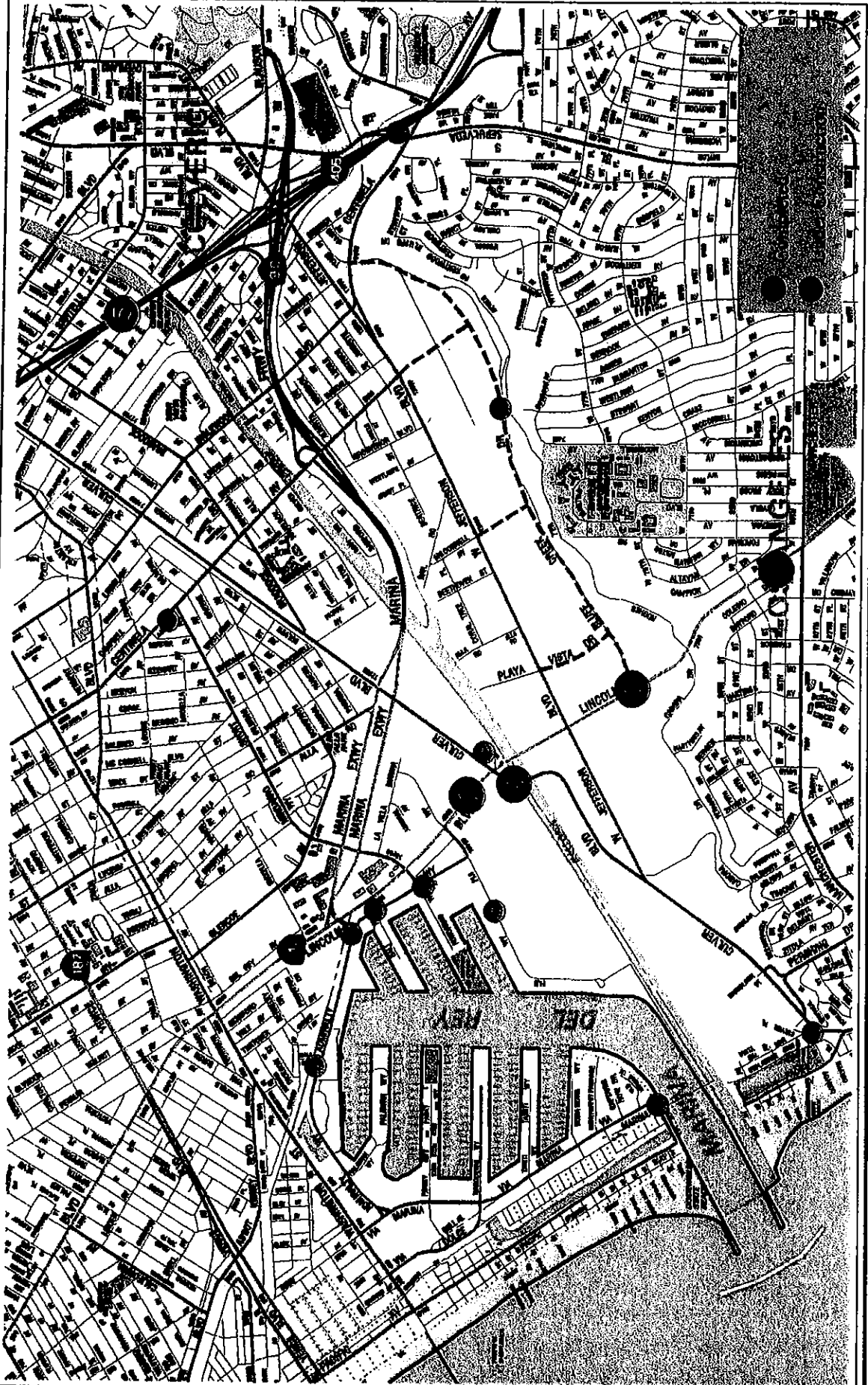


0 1 2 3 4 5
MILES 0.498

TRAFFIC PROJECTS UNDER CONSTRUCTION IN THE SAN FRANCISCO DEL REY AREA

NEW ROADS

Map of the San Francisco Del Rey Area showing traffic projects under construction. The map includes a legend for new roads, a scale bar, and a north arrow. The map shows the city grid, major roads, and the location of the new roads. The new roads are indicated by thick black lines. The map also shows the location of the new roads in relation to the city grid and the major roads. The map is a detailed street map of the San Francisco Del Rey area, showing the city grid, major roads, and the location of the new roads. The new roads are indicated by thick black lines. The map also shows the location of the new roads in relation to the city grid and the major roads.

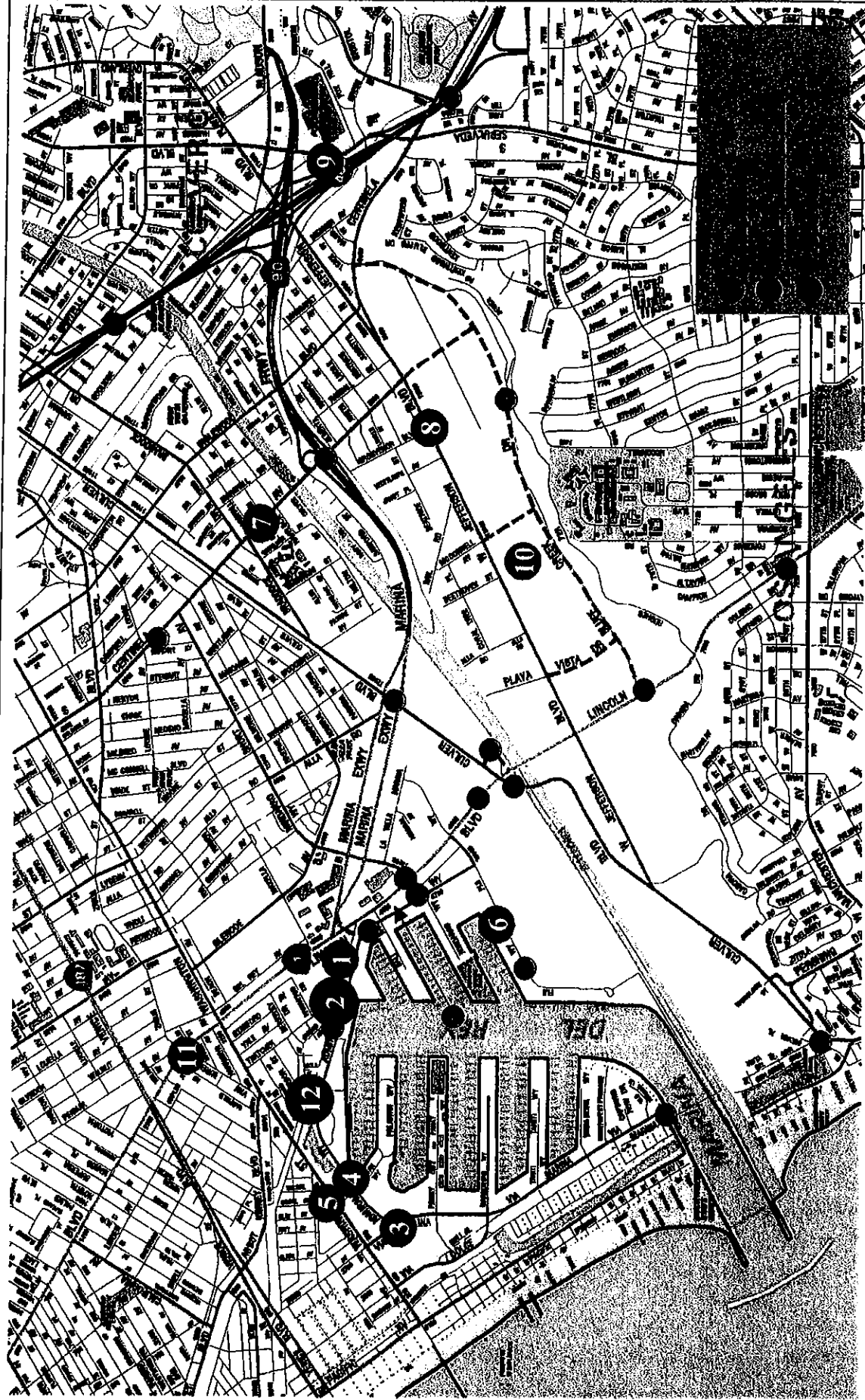




2400
FEET
0 1/2 MILES 0.408

PROPOSED TRAFFIC IMPROVEMENTS IN THE MARINA DEL REY AREA

--- NEW ROADS





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**MINUTES
OF
MARINA DEL REY
DESIGN CONTROL BOARD**

July 19, 2007

**Department of Beaches and Harbors
Burton Chace County Park
Community Building – 13650 Mindanao Way
Marina del Rey, CA 90292**



Stan Wisniewski
Director

Kerry Silverstrom
Chief Deputy

Members Present: Susan Cloke, Chair, First District
David Abelar, Second District
Peter Phinney, A.I.A., Fourth District

Members Absent: Tony Wong, P.E., Fifth District

Department Staff Present: Stan Wisniewski, Director
Charlotte Miyamoto, Chief, Planning Division
Chris Sellers, IT Technical Support Analyst
Kimberly Monroe, Secretary

County Staff Present: Tom Faughnan, Principal Deputy County Counsel
Phillip Estes, Department of Regional Planning

Guests Testifying: Jason Pereira, Department of Public Works
Keith Gurnee, RRM Design Group
Marcia Hanscom, CLEAN, Sierra Club
Bruce Russell, Marina del Rey Resident
Carla Andrus, Marina del Rey Resident
Beverly Moore, MDR Visitors Bureau
Roz Walker, Marina del Rey Resident
Nancy Marino, Marina del Rey Resident
Sean Bergquist, Santa Monica Bay Restoration Commission
Steve Freedman, Marina del Rey Resident
Greg Schem, Harbor Real Estate
Dan Gottlieb, Marina Strand Colony II Resident
David Levine, Del Rey Shores
Stan Shipley, Nadel Architects
Charles Elliott, LRM, Ltd.
Jeremy Windle, Lighting Design Alliance
Daniel Christy, Marina del Rey Resident
Annie Infante, Playa Marina Walk-in Urgent Care
Virginia Hollywood, Del Rey P...

Jeffrey Ibrahim, Solo Graphics
Jim Barnett, Ontario Neon
Jill Peterson, Pacific Ocean Mgmt.
David DeLange, Marina del Rey Resident

1. **Call to Order, Action on Absences and Pledge of Allegiance**

Ms. Cloke called the meeting to order at 2:10 p.m. Mr. Phinney led the Pledge of Allegiance. Mr. Phinney (Abelar) moved to excuse Mr. Wong from the meeting.

2. **Approval of Minutes**

Mr. Phinney (Cloke) moved to approve the May 17, 2007 as amended. [Unanimous consent]

Mr. Phinney (Cloke) moved to approve the June 28, 2007 as amended. [Unanimous consent]

The minutes for May 31, 2007 were held until the end of the meeting and subsequently not heard due to time constraints.

Public Comment:

Ms. Marino stated that the June 28th minutes stated that she submitted a copy of the County Code; she said she marked up a document but it was not the County Code.

Ms. Cloke asked staff to verify and put the correct title in the minutes.

Ms. Andrus stated that at the June 28th DCB meeting she submitted a letter for the record, which she expected it to be a part of the minutes. She stated that the public was not being fairly represented in the minutes.

3. **Design Control Board Reviews**

A. **Parcel 75 – Marina Professional Building – DCB #07-007**

Approval of the record of the DCB's June 28, 2007 action for conditional approval of signage for Playa Marina Walk-In Urgent Care.

Mr. Phinney (Cloke) moved to approve DCB #07-007 as submitted. [Unanimous consent]

B. **Parcel 141- Marina Beach Marriott Hotel – DCB #07-008**

Approval of the record of the DCB's June 28, 2007 action for conditional approval of signage for the *glow* lounge.

This item was held until the end of meeting and subsequently not heard due to time constraints.

5. New Business (This item was taken out of agenda order)

A. Parcel P – Oxford Detention Basin – Briefing by Jason Pereira, Department of Public Works

Mr. Pereira gave a presentation about the Oxford Detention Basin Multiuse Water Quality Enhancement Project.

Board Comments

Ms. Cloke asked Mr. Pereira to talk to his advisors about habitat flora, so when planting the plant palettes use correct ones for the water fowl that live there.

Mr. Pereira stated the Dept. of Public Works (DPW) were very familiar with habitat flora. He said the department has had some mitigation projects where biologists have been brought in and introduced a lot of the native species, so that was something that the department would definitely consider and incorporate into this project.

Ms. Cloke suggested that Mr. Pereira investigate State Bond funds that were available for projects like this through the Propositions that were passed.

Mr. Pereira stated that the Public Works Grants coordinator was on top of these different grant opportunities.

Public Comments

Ms. Walker asked Mr. Pereira what "possible mitigation for the Admiralty widening project" meant.

Mr. Pereira said that meant some of the other project managers at Public Works that are working on a particular project are evaluating the possibility of using this project as mitigation for their project.

Ms. Walker asked if "mitigation of the Admiralty project" meant making it easier to widen the street.

Mr. Pereira said no.

Mr. Wisniewski added that at one time, one possible configuration of the Admiralty Way widening project included a slight encroachment to a portion of Admiralty Park; he said there would never be an intent to eliminate Admiralty Park. He suggested to Mr. Pereira for the next presentation that he gives on this project, that he get some clarification for the public.

Ms. Marino said that she hoped the DCB would put in their recommendation or strong statement against using passive recreation as a substitute or mitigation for the elimination of active recreation at Admiralty Park. Ms. Marino continued by saying

she had the impression that the State recreational funds were a different issue from the mitigation for Admiralty widening and she wanted to clarify that it would be in the public's interest to have it under the State regulation.

Mr. Freeman was encouraged to hear about this project. He was curious of the timeframe and suggested that in the interim and until this project got underway that Beaches and Harbors and Public Works give attention to the superficial aspects of maintaining this area.

Ms. Andrus expressed disappointment with the Department for the poor job she said they have done on this flood basin. She said that dredging should have been done along time ago.

Mr. Bergquist said he would like to see this plan go forward. He said this was a historical part of the bio-wetlands, and he said that Santa Monica Bay Restoration had provided funding to treat water quality and address habitat and is interested in being involved in the project.

Ms. Cloke asked Mr. Pereira if Mr. Bergquist could be added to the stakeholders group.

Mr. Pereira stated that Public Works does work with the Santa Monica Bay Restoration Commission.

Ms. Cloke asked when Public Works would come back to the DCB.

Mr. Pereira stated it could be one to one and a half years.

Mr. Wisniewski stated that he thought it would be sooner than that and he would contact Public Works to expedite this sooner.

Ms. Cloke asked if interim cleaning was on the schedule.

Mr. Pereira was unsure of Public Works maintenance routine at this point, however he understood that Beaches and Harbors were partners in the clean up effort.

Ms. Cloke asked Mr. Pereira if he could verify that and give Mr. Wisniewski an update, for the next meeting.

Mr. Phinney's concern was that as the project appeared to be solely a Public Works project, he felt an opportunity might be lost. He suggested that Public Works explore funding sources for design consultants to help with the recreations aspects, specifically landscape designers and architect.

Mr. Pereira said DPW has an Architectural Engineering Division that has landscape architects, and they have contract consultants on call in place, and DPW intends to utilize their services.

4. Old Business

A. Marina (Mother's) Beach Strategic Plan – Briefing by T. Keith Gurnee, RRM Design

Mr. Wisniewski gave a brief introduction of the presentation.

Mr. Gurnee gave a presentation on the proposed strategic plan, based upon comments received from the public and the Design Control Board in previous public hearings. This refined design focuses on improvements to the beach, including a waterfront promenade with plazas, a new beach playground, water features, and new pier structures to enhance the public space. Alternative treatments to the picnic shelters are also included, along with modifications to the public spaces, pier shelters and the proposed parking layouts on the south side of the beach.

Public Comments

Mr. Freeman said there were many attractive elements in this plan. He had concerns on the water feature in the middle of the basin. He said this was a little basin used by kids and beginning sailors and beginning windsurfers. He encouraged them put something like that in, but not in the way that was illustrated.

Ms. Hanscom said that people would like to see a strategic plan and a master plan for the entire Marina, not one for each individual project. She said in terms of this particular project site she wanted to bring attention to shore birds currently using this beach, and said that the County has illegally put up wires and poles to prevent the birds from coming onto the beach.

Mr. Russell was opposed to the dedication of the open space to the Marriot Residence Inn; he felt by putting the pool there the public use of the beach would be pushed to either side. He felt the picnickers were not being favored by this plan.

Ms. Andrus said she liked the shore birds there and she thought the saltwater pool was a beautiful idea, but it didn't belong there. She suggested putting the pool on a different parcel. She said an Olympic size pool and a smaller size pool for children specifically could be a very nice project for the Parcel OT parking lot.

Ms. Moore said she was thrilled and grateful about the proactive approach that both the Department and the Design Control Board were taking about the bigger issue of capital improvements in this community. She said Chace Park, Mother's Beach and Oxford Basin were really important treasures and extensive pieces of real estate that needed to be improved for public use. She said she was interested in seeing that the additional plaza sites allowed for concessions to service the users of the promenade directly, and she liked the increased parking. She applauded the multiple water features and the sitting areas along the promenade, and said the saltwater plunge was a really exciting idea.

Ms. Marino said the plaza in the center was a very good idea, but having that public plaza right in the middle of the Marriott hotel parcel and view from the public turned it partly into part of that Marriott project. She didn't think a private project should be in the middle of the public beach. She said in the Coastal Commission's review there was a discussion that the County was looking to move much of the public use of the Marina over toward Burton Chace Park and she felt that was wrong.

Mr. Estes asked Mr. Gurnee if there were any opportunities for bicycle parking facilities or access to transits.

Mr. Gurnee responded yes.

Ms. Cloke closed the public hearing.

Board Comments

Mr. Abelar referred to the parking lot slide and asked Mr. Gurnee if those were trees or bushes.

Mr. Gurnee stated they at there would be trees that were elevated above ground and no bushes.

Mr. Abelar asked if it would be possible to put the pool in different location for those who want to swim, but maintain the beaches as they were.

Mr. Gurnee said he imagined that was possible.

Mr. Phinney asked if RRM thought about including showers in the public restrooms. He said he would like them to think about expanding the vision to make those showers available not only to the people using the plunge pool, but to other people using the beach. He asked about a bus stop and wanted to make sure that got addressed. He encouraged RRM to look at a fourth landside water feature, he said the three that were presented were fantastic, but he could see another in the playground area. He applauded the plunge pool, but felt the location may be problematic. He cautioned about construction over the water, and felt it was problematic for the board. He wanted RRM to think about the pier structures and the pavilions at the end. He suggested looking at flooring and decking materials that were translucent.

Ms. Cloke thanked Mr. Gurnee for listening to what people have said to him and translating that into a plan. She said that the public talked about a Master Plan and the Board still would like to make sure that gets done. She agreed with Mr. Phinney about construction over the water. She said if it goes in front of the Marriott it's really a great advantage for them. She wants to make sure in the design that absolutely everybody knows this will be a public pool. She said she thinks having the water features at the beach are playful and she supports putting one in the playground. She thought the water feature in the middle was beautiful, but that it would take away from

public and boater use. She was really happy to see the concessions opportunity and stressed that they should be public as well. She stressed having transit stops, connecting the water taxi to the parking lot and to transit. She appreciated the parking lot design being a flat lot and not a building or parking structure. She suggested looking at native species of plants, trees. She asked that they get more informed on the different species on the beach like the shore birds to make sure we are protecting the species.

Mr. Phinney suggested the possibility of a water arch that would run from pier pavilion to pier pavilion.

B. Parcels 52 & GG – Boat Central – DCB #07-005

Reconsideration of the DCB's May 31, 2007 action for disapproval of redevelopment project.

Mr. Wisniewski gave a brief summary of the Board's May 31, 2007 action for disapproval of the proposed Boat Central project at Parcel 52 and GG.

Public Comment

Ms. Hanscom commented that the minutes needed to be clarified.

Mr. Schem stated that this project should not be moving on to the Department of Regional Planning, mainly because of the many different precedents in terms of previous practices of the DCB, County Code, the Board of Supervisors.

Ms. Marino asked the Board not to reconsider their previous action on the disapproval.

Mr. Bergquist said this site was immediately adjacent to the bio-wetlands ecological reserve and the site was a public parking spot and there was potential for future public access to bio-wetlands ecological reserve at this location. He said this was the only fully tidal connection existing immediately under this parcel to bio-wetland ecological reserve, and it would impact fish species that would use this as nursing habitat.

Ms. Andrus asked why the project wasn't going to Regional Planning.

Ms. Cloke explained that this was the public process; it goes to Regional Planning, and then to Coastal Commission where they would have the final say on this project. Ms. Cloke explained there was an established process of law that would have to be followed.

Mr. Freeman said he considers the Boat Central project to be a very dangerous proposal for Marina del Rey. He said the project would eliminate the only free parking lot in Marina del Rey, and that building a huge project to extend out over the water would clearly encroach on public recreation particularly in the Marina.

Ms. Cloke closed the public hearing.

Board Comments

Ms. Cloke asked Mr. Faughnan if this project went to Regional Planning and Regional Planning agreed with this Board, did Regional Planning have the power to direct the applicant back to the Design Control Board, or would the project go to Regional Planning, the Board of Supervisors and then the Coastal Commission no matter what happens along the way.

Mr. Faughnan stated that the Regional Planning Commission could disapprove the project and he believes that applicant could appeal that decision to the Board of Supervisors and the Board would make a determination, or the applicant could chose to start the process over and it would start back at the DCB.

Mr. Estes said that Regional Planning could request that the applicant work with the DCB and come back to a subsequent meeting.

Mr. Abelar asked if the applicant could go directly to the Board of Supervisors, even if Regional Planning recommended only a change.

Mr. Estes said the applicant could appeal to the Board of Supervisors.

Mr. Phinney wanted clarification from County Counsel regarding the process.

Mr. Faughnan said the process was that the Board provides their comments to Regional Planning, the project moves on to Regional Planning, and then the Regional Planning decision could be appealed to the Board of Supervisors.

Mr. Faughnan pointed out that there was another section in the Minimum Standards called the Bulkhead Wall Protection Section, pages C51-C53 of the Minimum Standards that actually discusses conditions under which structures may be placed out over the water. These sections or the point of these sections is to protect the bulkhead, so there's a little "clear" zone around the bulkhead that cannot be used for structure. But that does not mean that structures cannot be built out over the water under these Minimum Standards.

**Mr. Phinney (Abelar) moved that the Design Control Board reconsiders its action of May 31, 2007 DCB #07-005 consideration of Boat Central Parcel 55 & GG.
[Unanimous consent]**

Mr. Phinney (Abelar) moved for disapproval of DCB #07-005 for the following reasons:

1. The project is proposed to extend out over the water 97 feet. The Design Control Board has never allowed any project to build over the water and believes it has the responsibility to preserve for the public the waters of the Marina for active boating and recreation, the visual access to the water, and the marine environment.
2. The design of the project precludes a waterfront public promenade, thus putting it in conflict with the requirements of all other waterfront projects in the Marina.

The Design Control Board directed that its verbatim comments on the Boat Central Project from the May 31, 2007 meeting be attached to the Board Review transmitted to the Regional Planning Department.

The Design Control Board requests the Regional Planning Commission either deny the application or remand the application back to the Design Control Board.

Mr. Phinney (Abelar) moved that the Design Control Board give the written language for the action to staff with attachments and the Design Control Board vote to approve that language as submitted. [Unanimous consent]

C. Parcel 100& 101- Del Rey Shores – DCB #05-003-C
Further consideration of redevelopment project.

Mr. Elliott gave a brief overview of the revised project.

Ms. Cloke asked the applicant about the stormwater plan and the plant palette.

Mr. Shipley stated they were treating all of the site's stormwater through landscape medium before it leaves the site, resulting in filtered cleaner water exiting the site.

Ms. Cloke asked how high the water table was.

Mr. Shipley said between 5 to 15 feet below.

Ms. Cloke asked how much water infiltrates and leaves the site.

Mr. Shipley said that 70% of the water leaves the site clean, and about 30% would infiltrate.

Ms. Cloke asked about the plant materials in the courtyard.

Mr. Shipley gave an explanation of a variety of native plants that they would be using in the courtyard.

Mr. Windle gave a brief update on the lighting for this project.

Public Comments

Mr. Gottlieb spoke about inaccuracies in the project plans, and referred to a section of the County of Los Angeles LIP (Land Implementation Specific Plan). He gave a copy of this page to the Board.

Ms. Marino she said she was confused about the rearticulating with the mounds for rainwater filtration. Otherwise she said it appears to be a fairly creative response to the issues that were raised before, however it does neglect the landscaping on Del Rey Ave. Ms. Marino read a passage from the Specific Plan, Section 22.46.1100.

Ms. Andrus commented on the footprint, affordable housing and public access.

Mr. Christy asked about the landscape outside the project, mainly along Via Marina and Dell Ave. He urged the Board to insist that those trees and shrubbery be kept, rather than tearing them out and replacing them with some small pieces.

Ms. Cloke closed the public hearing.

Board Comments

Ms. Cloke asked the applicant to describe the proposed landscape on Dell Ave. and Via Marina.

Mr. Shipley explained in more detail how they plan to landscape, paying more attention to Dell Ave. and Via Marina.

Mr. Abelar asked if the mature trees and shrubbery would be removed or replaced.

Mr. Shipley said the trees and shrubbery would be removed and replaced.

Ms. Cloke asked why the papyrus and the bamboo plants were chosen.

Mr. Shipley said those are plants that would do well with water around, so they using those plants in area where they can anticipate water. He said there is sensitivity along Dell Ave. to screening and the bamboo in that narrow area is really one of the better plants for that. The papyrus is another plant that would do well with its feet wet; he said there was another alternative to that as well with the *Chondropetalum* sp. (cape rush).

Ms. Cloke asked if the scheme would work with the alternative plants.

Mr. Shipley replied yes.

Mr. Abelar asked if the pool area was fenced.

Mr. Shipley replied yes.

Mr. Phinney (Clope) moved to approve DCB# 05-003-C with the following conditions [Unanimous consent]:

1. The applicant use all down lighting; and
2. The papyrus be replaced with the *Chondropetalum* sp. (cape rush).

D. Parcel 75 – Marina Professional Building – DCB #07-007-B

Further consideration of signage for Playa Marina Walk-In Urgent Care.

Ms. Miyamoto gave a brief overview of the project.

Ms. Cloke asked Mr. Faughnan if it was possible to give a time-limited conditional approval.

Mr. Faughnan said it would be up to the applicant if they want to make that investment under those conditions.

Ms. Cloke clarified that the Board could put the time limit on it and the applicant could decide whether to do it or not.

Mr. Faughnan replied yes.

Tape damaged during recording, records were unrecoverable.

Ms. Cloke stated that the Board strongly wanted the applicant to come in with a sign program. She said the Board would like to see them back in 60 days, and the banner would be allowed to stay up for 60 days with a sign program.

Mr. Wisniewski clarified 60 days from today, and that the lessee representative needed to understand that this parcel was in a key location and the signage was a reflection of what people expected to see in the rest of the Marina.

Ms. Cloke advised the applicant that they are welcome to talk to staff or the DCB in the meantime for discussion and direction.

Design Control Board member David Abelar the left meeting at 5:45 p.m.

Ms. Cloke announced that the Board's quorum was lost.

No motion was made on DCB #07-007-B due to loss of the quorum.

Ms. Cloke asked if the Board could take care of some administrative issues without taking any action.

Mr. Faughnan said yes.

Ms. Cloke asked the remaining applicants on the agenda to come forward and she apologized to the applicants for the loss of quorum. She advised the remaining applicants that they would be moved up to the beginning of the next agenda. She asked each representative if they had any questions.

Mr. Phinney asked Mr. Wisniewski how the next agenda looked.

Mr. Wisniewski said that were two big items on the next agenda: the Chace Park Master Plan and the Marina Design Guidelines.

Ms. Cloke asked if the next meeting could start earlier, so that they could hear the applicants from the previous meeting first.

Mr. Wisniewski replied an earlier time would be fine; staff would make sure the room was clear. He said that staff could put a notation on the agenda to identify that those items were carried over from the last meeting and they would be heard first.

Ms. Peterson wanted clarification on once signage was approved in concept, what was the timeframe before it could actually go up.

Ms. Cloke said it had to go from the DCB to Regional Planning and then the signs could go up immediately.

Mr. Barnett was concerned about the length of time it would take to get their final signage approved.

Ms. Cloke asked Mr. Wisniewski for suggestions in helping the applicant.

Mr. Wisniewski said he could talk to the Regional Planning Director and as soon as the DCB had given their approval, he would ask Regional Planning to process it immediately.

Ms. Cloke told Mr. Barnett that they could keep up the temporary banners.

Mr. Wisniewski reminded the Board that staff always brought back actions for confirmation at the subsequent meeting, so that could be another 30 days in process.

Ms. Cloke stated that she had reviewed the application and she didn't think it would be complicated. She said that the Board should be able to approve it that day.

Mr. Wisniewski asked if the application would be approved in final form without coming back.

Ms. Cloke replied yes.

Ms. Cloke stated that the Board could start doing that on simple applications, where they didn't have to look at language.

Mr. Wisniewski stated that staff would come back to the Board with some type of process for those types of approvals.

The representative of Pinkberry was concerned that this delay would stop them from getting their interior construction permit.

Mr. Phinney said that the interior construction did not require the Board's approval.

6. **Staff Reports**

All reports were received and filed.

7. **Comments from the Public**

Mr. DeLange said despite of differences and disagreements he has had with the Board's decisions, he has been actively supporting the retention of their authority and strength that they have historically enjoyed.

Ms. Marino asked the Design Control Board to make a strong request to the County to not add any new items on the agenda until some of the backlog is taken care of. She said today's meeting was an example that there was too much going on. She felt with a Master Plan a lot of these issue could be addressed.

Ms. Hanscom expressed concern about maintaining the tidal flow at Oxford Basin.

Ms. Andrus had concerns about the compact parking in the Marina (Mother's) Beach Strategic Plan presentation. She would like the LCP maps refreshed; she said those maps are hard to read.

8. **Adjournment**

Meeting adjourned at 6:10 p.m.

Respectfully Submitted,

Kimberly Monroe
Secretary for the Design Control Board